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COPPER MOUNTAIN

PLANNED UNIT DEVELOPMENT DESIGNATION

January 22, 2019





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1.0 Introduction

1.1 PURPOSE

This Copper Mountain Planned Unit Development Designation (this "PUD Designation") originally approved on the 18th of October, 1971 and revised on the 10th day of November, 1986, on the 22nd day of February 1993, on the 9th day of August 1999, on the 27th day of March, 2000, on the 25th day of June 2001, on the 23rd day of May 2006, on the 12th day of August 2008, on the 8th day of December 2009, on the 14th day of September 2010, on the 6th day of December 2011, on the 11th day of December 2012, on the 23rd day of July 2013, on the 21st day of July 2015, the 25th day of July 2017, and the 26th day of June 2018 by the Board of County Commissioners (the "County Commissioners") of Summit County, Colorado (the "County"), is hereby revised on this 22nd day of January 2019. This PUD Designation is for certain real property located in the County as described in the attached Exhibits K and L, hereinafter referred to as the "Property."

This PUD Designation establishes the land uses and density that shall be permitted within the Property, a general development plan, and development standards and conditions that must be adhered to by property owners within the Property, and by Powder – Copper Mountain LLC, a Delaware limited liability company, and its successors and assigns, ("Owner "). Refer to the Conceptual Development Plan (Exhibit A) attached hereto as a graphic illustration of the general development plan. This PUD Designation also specifies improvements, which must be made, and conditions, which must be fulfilled in conjunction with the development of the Property. The intent of this PUD is for Owner to remain responsible for all improvements, dedications, conditions, and public benefits contained herein. In the event that the Owner contracts with, assigns to, or otherwise agrees that a third party will deliver or provide all or some portion of an improvement, dedication, condition, or public benefit, such contract, assignment, or agreement shall not supersede or take the place of Owner's obligation as set forth in this PUD. Where this PUD Designation does not address a specific development standard or requirement, the Summit County Land Use and Development Code (the "Code") shall apply. Where the PUD Designation addresses a specific development standard or requirement, the provisions of this PUD Designation shall apply and supersede the provisions of the Code.

1.2 DEFINITIONS

"Active Recreation Uses " shall mean recreational activities, usually of a more formal nature and performed with other persons, often requiring equipment and built facilities, and taking place at prescribed places, sites or fields, including facilities and improvements related thereto such as lift structures and terminals, and allowing transport and maintenance vehicles related to these uses. Examples include recreation associated with play fields, tennis courts, golf courses, hiking, climbing walls, ice climbing facilities, Gravity Snow Sports, athletic clubs, stables, athletic fields, picnic areas, facilities and improvements related to trails, mountain biking, tubing, ice skating, snow play, go-carts, snow mobiles, snow-cat tours, arcades, miniature golf, lake activities, zip lines, and gravity attractions, adventure parks, Frisbee golf, zorbing, tennis, bungee jumping, multi-purpose recreation and sports training facilities. The point of sale area square footage for the above activities shall be counted as commercial density.

"Actual Unit" shall mean all housing types including but not limited to single-family residences, condominiums, duplexes, townhomes, lodging rooms, Hotel/Condo units, Hotel/Lodge units, Short-Term/Transient Lodging units, Employee Housing Units and Affordable Housing Units.

“Additional Property” shall mean any property that may be subject to this PUD Designation that was not previously subject to this PUD Designation and is further ascribed in Subsection 9.4.

“Affected Property Owner” shall mean any owner of fee title to any real property within the Property on the condition that the owner’s real property would be directly affected by an amendment to this PUD Designation.

“Affordable Housing” shall mean any dwelling unit required by this PUD that is restricted in perpetuity to occupancy by individuals meeting the eligibility requirements and occupancy standards as set forth in this PUD Designation and the County Code.

“BMPs” shall mean a variety of nonstructural and structural Best Management Practices that will be incorporated into the development plans for the Property. BMPs are further defined and detailed in Subsection 6.5.

“BOCC” shall mean the Summit County Board of County Commissioners.

“Building Projection” shall mean any portion of a building that projects beyond the exterior walls, including bay windows, roof drip lines, decks and patios.

“Cafeterias” shall mean commercial self-service dining facilities open to the general public that are used in connection with the operation of a destination resort and that are owned and operated by the holder of the USFS Ski Area Term Special Use Permit of the Copper Mountain Ski Area including, without limitation, all storage and food preparation areas related thereto.

“CDOT” shall mean the Colorado Department of Transportation.

“Charity Event” shall mean an athletic activity related event run by a non-profit/501(c)(3) organization benefiting a charitable cause such as the Courage Classic and The Children’s Hospital Foundation.

“CPW” shall mean Colorado Parks and Wildlife.

“CMCMD” shall mean the Copper Mountain Consolidated Metropolitan District.

“CDRC” shall mean the Copper Design Review Committee.

“Code” shall mean the Summit County Land Use and Development Code.

“Colorado Trail Connection” is the portion of the Colorado Trail that is located within the Property and as further described in Subsection 5.2.B.

“Commercial” shall mean space where merchandise, products or services are purchased by the general public, including, without limitation, space used as retail sales establishments, restaurants, bars and lounges, farmer’s markets, flea markets, rental shops, for-profit day care, public lockers, ticket windows, professional offices, season pass offices, and real estate sales offices, excluding space that is a Community Facility, Resort Support Facility, Lodging Services, Cafeteria, Conference Facility or free to use recreational facility.

“Community Facilities” shall mean facilities such as cultural or educational institutions, churches, schools, District facilities, municipal facilities, or other uses necessary or desirable for the day-to-day operation of a community including, without limitation, emergency service facilities, medical clinics, not for-profit day care facilities, post office, and libraries, and administrative offices related to the foregoing.

“Conference Facilities” shall mean the facilities used for professional or private meetings or gatherings. These facilities shall be limited to banquet halls, conference rooms, exhibit halls, meeting rooms,

boardrooms, and other spaces used for conference services, and administrative offices related to the foregoing.

“Condominium” or “Condo” shall mean a form of ownership of real estate in which exclusive title is given to space within a project such as a residence or office along with an undivided interest in the project's common elements.

“Copper Community Trail” shall mean a trail or trails within the resort that are not included in the County Recpath system.

“Corps” shall mean the United States Army Corp of Engineers.

“County” shall mean Summit County, Colorado and/or Summit County governmental agencies.

“County Commissioners” shall mean the Board of County Commissioners of Summit County, Colorado.

“Day Use Parking” shall mean surface or structured public parking facilities available to Employees working within the Property or day visitors to the Property (including, without limitation, skiers, customers, other users of facilities and businesses within the Property and buildings related to the foregoing (i.e. pay booths and restrooms)).

“Developer” shall mean any person, firm, partnership, joint venture, association or corporation participating as owner, promoter, agent or real estate professional in the planning, platting, development, promotion, sale or lease of a development project.

“Development Parcels” shall mean each area described generally as a lettered parcel or as an open space parcel within the Neighborhoods on Exhibit B-1 attached hereto.

“Development Review” shall mean the planning process by which approvals are sought for projects, including but not limited to site plans, subdivisions, conditional use permits and temporary use permits.

“District” shall mean Copper Mountain Consolidated Metropolitan District.

“Dormitory Style Employee Housing” shall mean a dormitory style building that includes common area living space and facilities outside of the personal sleeping/living areas intended primarily for occupancy by Employees.

“Easement Dedication” shall mean an Open Space, trail or Recpath public access easement acceptable to and granted to the County to ensure (i) protection of the Open Space, trail and Recpath character; and (ii) public access, subject to the provisions of this PUD.

“Effective Date” shall have the meaning ascribed to such term in Subsection 9.8.

“Employee” shall mean a person who is employed by the Owner or a third party business within the Property and/or supporting resort operations.

“Employee Housing Requirement” shall mean the number of bed credits the Owner shall provide. Refer to Subsection 2.6.C for the details of this requirement.

“Employee Housing Unit” shall mean a unit occupied by an Employee and is restricted in a manner described in Subsection 2.6.A.

“Employee Housing Use Restriction” shall mean a restriction placed on an Employee Housing Unit that limits the use of such unit in a manner described in Subsection 2.6.A.

“Equestrian Operation Facilities” shall mean barns, stables, paddocks, and support facilities including point of sale Commercial buildings used in the operation of equestrian activities.

“Equivalent Units” shall mean a number or ratio used to covert unit counts and square footages for different types of land uses. This number or ratio is derived from a method intended to proportionally assess the impacts associated with different types of development and uses. Equivalent Units shall be calculated in accordance with Table 2 set forth in Subsection 2.2.

“Gravity Snow Sports” shall mean downhill winter sports such as skiing (downhill, Nordic, telemark), snowboard, snowbike, and the facilities related to these sport activities.

“Hotel/Condo” shall mean a Condominium facility offering transient lodging accommodations to the general public. The Hotel/Condo property shall provide services typical of the America Automotive Association (AAA) ratings for the hotel property including, but not limited to (a) in-building check-in/check-out services; (b) use of a centralized reservations system; (c) daily housekeeping; and (d) other services typical of a hotel such as restaurants, meeting rooms and recreation facilities. A minimum of 50% of the hotel rooms in the hotel property must be under 520 SF, and shall not have full kitchens but may have a small kitchen. A small kitchen consists of any or all of the following: a) a small sink; b) an under counter refrigerator; c) a cabinet area not exceeding (10) ten cubic feet; d) a counter area not exceeding ten (10) square feet; e) a microwave; f) a two burner cook top; and g) a dishwasher is permitted within such hotel rooms. Rooms that are 520 square feet or larger, and/or containing a full kitchen, shall be designated as a residential unit and counted as one full multi-family equivalent unit. Rooms under 520 square feet shall count as 1/3 of an equivalent unit as expressed on Table 2.

“Hotel/Lodge” shall mean a facility held in common ownership offering transient lodging accommodations to the general public, and may provide additional services such as restaurants, in-building check-in/check-out services, meeting rooms and recreation facilities. Such facilities are generally smaller rooms, and shall not have kitchens. A wet bar or kitchenette as defined by the Code is a permitted use within such units.

“Housing Needs Assessment” shall mean an independent study provided by a specialist that the County and the Owner agree is qualified to provide information on the current Affordable Housing supply and demand of the Ten Mile Basin and/or all of Summit County as well as predicting future Affordable Housing supply and demand.

“Integrated Employee Housing Unit” shall mean an Employee Housing Unit contained in a building that also contains one or more other dwelling units that are not Employee Housing Units.

“Key Public Spaces” shall mean the locations identified in the PUD that have significant visual corridors of the Ten Mile Range, the Gore Range and Copper Mountain requiring protection from potential intrusion by development to preserve those views. Refer to Subsection 3.5.

“Lake Easement” shall mean that certain Lake and Recreational Easement, dated April 19, 1999, between Owner and the County, recorded in the official records of the County at Reception No. 593087, as the same may be amended from time to time.

“Land Use” shall mean uses permitted on a Development Parcel or Open Space parcel as defined in Table 1 of this PUD.

“Living Space” is defined as floor area per the Summit County Land Use and Development Code.

“Lock-off Unit” shall mean the portion of a multi-family dwelling unit that is capable of being separated from the remainder of such unit by a door lockable from both sides, if and only if: (i) such portion of the unit is accessible independent of the remainder of such unit and contains one or more bathrooms, but

does not contain a kitchen, and (ii) such remainder of the unit is accessible independent of the portion of such unit described in clause (i) above, and contains one or more bathrooms and a kitchen.

“Lodging Services” shall mean space used by the service personnel within the individual lodging facilities such as front desk area, bell staff, valet, housekeeping, central reservations, call centers, Property Management, security and administrative offices and storage related to the foregoing.

“Mixed-Use Building” shall mean a building that contains dwelling units and one or more of the following: (a) Commercial space; (b) Community Facilities; (c) Conference Facilities; (d) Cafeteria space; (e) Resort Support Facilities and/or (f) recreational facilities.

“Neighborhood” shall mean the West Village Neighborhood, Village Center Neighborhood, East Village Neighborhood, Middle Parcel, A-Lift Neighborhood, North Ten Mile Neighborhood and North Properties, as appropriate, which areas are generally described on Exhibit B-1.

“Non-Peak Season” shall mean the period from May 1st through October 31st of each year.

“NWCCOG” shall mean the Northwest Colorado Council of Governments.

“Open Space” shall mean land that is without Commercial or residential uses, and that is permanently designated or otherwise reserved for Public Open Space or Private Open Space uses. Open space areas may include environmentally sensitive areas, trails, parks, meadows, and forested areas as well as active and passive recreation uses and facilities. Open space areas may have utilities (drainage, electric, phone, gas, etc.), access roads and on-snow travel routes for Resort Operations vehicles and utility service vehicles located on or through such areas so long as: (a) the open character of the site is generally maintained; (b) such utilities, access roads and on-snow travel routes are necessary to serve the development in the Property and no other utility, road or access route avoiding the open space area is reasonable, practicable and cost efficient; and c) other applicable provisions of this PUD are met.

“Outdoor Vendors” A person engaging in the sale of goods or services from an open stand, push cart, vehicle or an outdoor site but not from a permanent building.

“Owner” shall mean Powdr – Copper Mountain LLC, a Delaware limited liability company, and its successors and assigns.

“Owner’s Representative” shall mean a person, firm, partnership, joint venture, association or corporation approved in writing by the Owner to represent the Owner in the planning, platting, development, promotion, sale or lease of a development project, or in the completion of PUD commitments.

“POLA” shall mean Copper Mountain Property Owners and Lessees Association, its successors, assigns, and designees.

“Passive Recreation Uses” shall mean recreational activities not considered active; do not require significant permanent physical improvements or facilities and are considered to be of minor impact to adjoining uses. Uses may include but are not limited to hiking, biking (including County Recpath), Nordic skiing, horseback riding, picnicking, and nature/interpretation and viewing, and facilities and improvements related thereto.

“Peak Season” shall mean the period from November 1 through April 30th of each year.

“Permitted Applicant” shall be pursuant to County Code.

“Planning Commission” shall mean the Ten Mile Planning Commission.

“Planning Department” shall mean the Summit County Planning Department.

“Platting” shall have the meaning ascribed to such term in Subsection 9.9.

“Private Open Space” shall mean Open Space per the definition of this PUD that is owned and maintained by the Owner or their representative that is intended for the use and enjoyment of resort guests. Access to Private Open Space may be controlled by the Owner and activities within Private Open Space may be fee based. Use of Private Open Space shall be consistent with the uses allowed pursuant to Table 1 of the PUD Designation.

“Property” shall mean all the real property within the PUD as described in Exhibits K and L attached hereto.

“Property Management” shall mean space used by the staff associated with the management/maintenance of individual Homeowner Associations, homeowner relations and the administrative offices and storage related to the forgoing.

“Public Open Space” shall mean Open Space per the definition of this PUD that is owned by the Owner and either is dedicated to the public by plat or subject to an easement or other agreement designed to protect natural areas and may allow open access to the public. Dedications specific to each Public Open Space parcel shall specify public accessibility and maintenance responsibility for that parcel and facilities contained within.

“PUD” or “PUD Designation” shall mean this Copper Mountain Planned Unit Development Designation.

“Qualified Occupant” shall mean any of the following:

- A) A person aged 18 or older, along with his or her Dependents, if any, who at all times during ownership or occupancy of the Unit, earns his or her living from a business operating in and serving the County, by working in Summit County at such business an average of at least 30 hours per week on an annual basis.
- B) For individuals claiming self-employment, their employment must be for at least 30 hours of work per week within Summit County on an annual basis for a legally formed business entity provided such entity is approved by the County in writing as having demonstrated that its principal place of business is located within Summit County, Colorado, and it provides a significant and primary percentage of its goods and/or services locally within Summit County to the residents, property owners or visitors located in Summit County, whether or not for profit. If a person is a work from home employee for a business, the person must work at least 30 hours per week on an annual basis and spend a significant percentage of his/her time providing goods and/or services locally in or to Summit County and its residents, whether or not for profit.
- C) A person who meets the retirement and/or disability requirements that are provided in either a covenant restricting use of the unit and/or the relevant PUD provisions regulating use of the unit.
- D) The County or its designee shall have the discretion to determine any person’s eligibility as a Qualified Occupant under this PUD and may request such evidence as is necessary to make said determination.

“Resort” shall mean the area generally known as the Copper Mountain Resort located in Summit County, Colorado.

“Recpath” shall mean the County maintained multi-use, non-motorized recreation trail.

“Resort Special Events” shall mean any organized event utilizing a Summit County Road, Property or Property Interest or private property that, for the protection of the public health, safety and welfare and/or convenience, potentially requires changing, restricting or adapting the public’s normal use of such road, property or property interest. Special events specifically include, but are not limited to, ski/snowboard races and demonstrations, bicycle races or rides, foot races or walks, philanthropic events, motorized vehicle events, festivals and music programs, traveling circuses, special holiday events and programs, athletic events, conference related events, community celebrations and other similar events.

“Resort Operations” shall mean the persons and entities that operate and maintain the resort properties and Resort Support Facilities.

“Resort Support Facilities” shall mean the buildings or spaces that are provided or occupied by services or operational facilities, which are used in connection with the operation of a destination resort, excluding Cafeterias. Examples of such facilities include maintenance facilities, utility facilities, storage facilities, transportation facilities, lift terminals, ski school facilities (limited to areas for staff, equipment and guest warming), non-commercial laundry facilities, Lodging Services, public restrooms, Employee Housing support facilities, Employee cafeterias, and administrative offices related to any of the foregoing.

“SCHA” shall mean the Summit Combined Housing Authority.

“SH 91” shall mean State Highway 91.

“Short-Term Parking” shall mean parking signed and limited during the Peak Season to a maximum of 1 hour between 8AM and 5PM and to be monitored as necessary by Copper Mountain Resort. Such parking shall not count towards compliance with the Resort’s Day Use Parking requirements.

“Short-Term/Transient Lodging” shall mean low average daily rate (“ADR”) lodging within The EDGE building for use by Employees of the Owner who are visiting the Resort, but work and reside at locations other than the Resort, friends and family members of current Resort Employees, small groups such as band camps or high-altitude training camps, and for emergency shelter such as when the highways are closed due to inclement weather, with exceptions as defined in Section 2.6, wherein the payment for the use of the low-yield transient lodging rooms is set at a maximum rate that only covers the costs associated with daily housekeeping and maintenance of The EDGE facility.

“Special Event” shall mean any short duration event that expects to use county services (i.e., emergency / ambulance services or law enforcement) or expects to impact any county right-of-way, and has 50 or more participants at any one. Examples of special events are community fairs, bicycle or Nordic ski races, and art festivals.

“Subbasin Plan” shall mean the Copper Mountain Subbasin Plan as adopted by the Ten Mile Planning Commission.

“SWQC” shall mean the Summit Water Quality Committee.

“Technical Appendix” shall mean the support documentation submitted as part of the 2008, 2013 or 2018 PUD Amendments and updated from time to time by mutual agreement between Owner and County that includes the reports, letters, diagrams and agreements referenced in or pertaining to the PUD Designation.

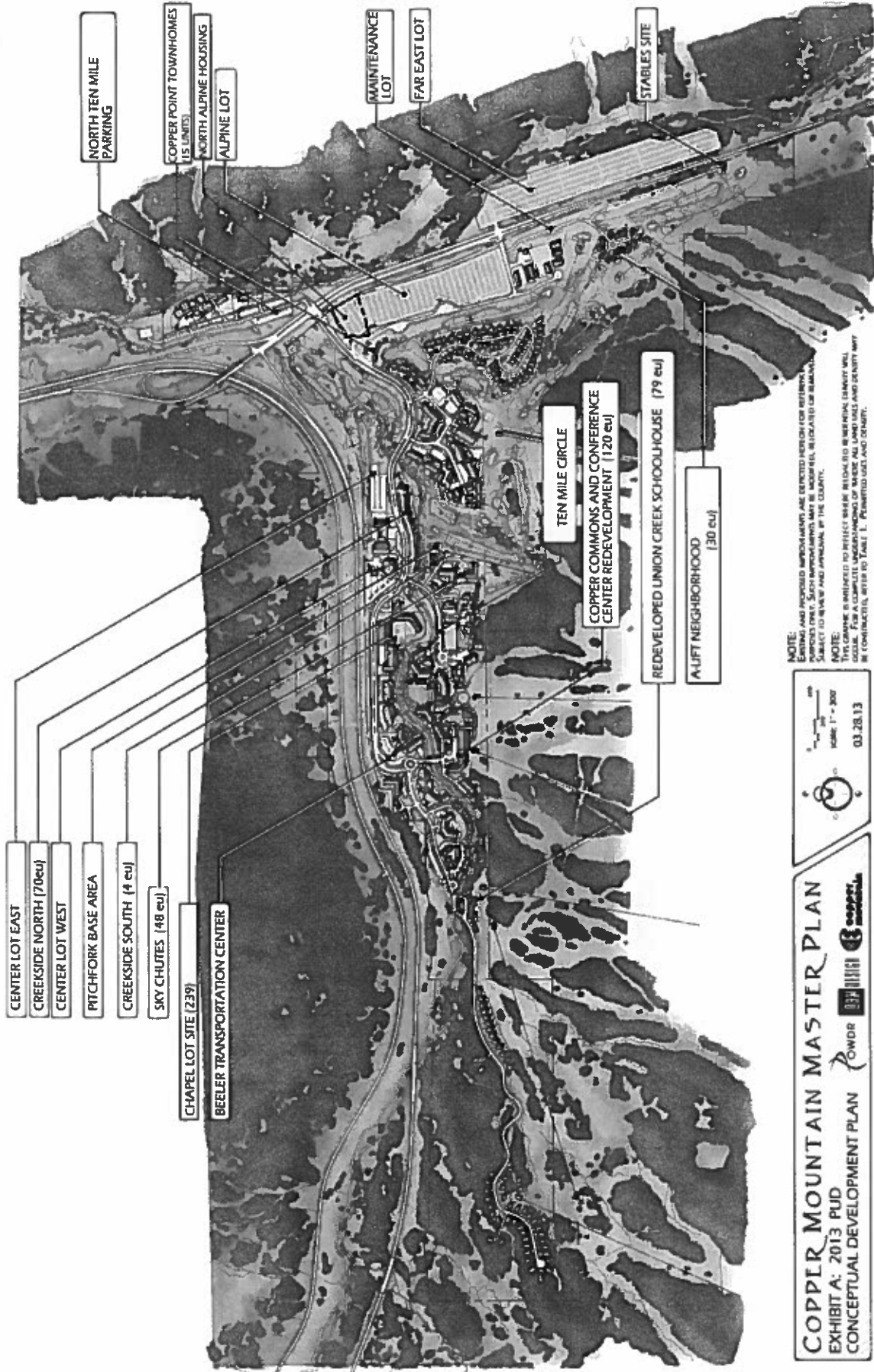
“USFS” shall mean the United States Forest Service.

“Village at Copper” and **“VAC”** shall mean The Village at Copper Association, Inc., successors, assigns, and designees.

COPPER MOUNTAIN PUD UPDATE (06.26.2018) | Exhibit A

This graphic is not for construction, nor is the graphic to scale.
Graphic is to provide design intent only.

NORRIS DESIGN
Planning | Landscape Architecture | Engineering



NOTE: EXISTING AND PROPOSED IMPROVEMENTS ARE DETICED HEREIN FOR REFERENCE PURPOSES ONLY. SUCH IMPROVEMENTS MAY BE MODIFIED, RELOCATED OR REMOVED SUBJECT TO REVIEW AND APPROVAL OF THE COUNTY.

NOTE: THIS GRAPHIC IS INTENDED TO REFLECT WHERE PROPOSED IMPROVEMENTS WILL BE CONSTRUCTED, WITHIN TO TABLE 1. PROPOSED SIZE AND DENSITY.



COPPER MOUNTAIN MASTER PLAN
EXHIBIT A: 2013 PUD
CONCEPTUAL DEVELOPMENT PLAN

POWER

03.28.13



2.0 Land Use and Density

2.1 PERMITTED/CONDITIONAL/ACCESSORY AND TEMPORARY USES AND DENSITY

- A. There shall be no more than 2,151 Equivalent Units, 203,931 square feet of Commercial space and 51,000 square feet of Cafeteria space permitted within the Property. Residential dwelling units (other than Employee Housing Units), Hotel/Lodge, Hotel/Condo, Lock-off Units, Commercial space and Cafeteria space are the only land uses within the Property to which density limitations are applied; provided, however, that on certain Development Parcels, a maximum number of Employee Housing and Affordable Housing Units has been established as set forth in Table 1 below.
- B. Table 1 below identifies the land uses permitted within each Development Parcel and the maximum number of Equivalent Units, Commercial square feet and Cafeteria square feet permitted within each Development Parcel, subject to adjustment pursuant to Subsection 2.3 below (regarding Density Transfers) and Subsection 2.4 below (regarding Redevelopment of Existing Properties).

Table 1. Permitted Uses and Densities

Neighborhood/ Parcel	Parcel Description	Permitted Uses	Equiv. Units (EUs)	Comm. SF	Cafe. SF
WEST VILLAGE NEIGHBORHOOD					
Parcel 1	Lewis Ranch	Single-family dwelling units.	5	0	0
Parcel 2	Lewis Ranch	Single-family dwelling units, duplexes, Resort Support Facilities, Active Recreation Uses limited to alpine and Nordic skiing, snowboarding, biking, tubing, ice skating, snow play and similar activities and facilities related thereto, and non-residential outdoor storage associated with ski operations	83.5	0	0
Parcel 3	Lewis Ranch Utilities	Water tanks, pump stations, sewer lift stations, and other necessary utilities for the West Neighborhood	0	0	0
Parcel 4	Lewis Ranch	Single-family dwelling units	5	0	0
Parcel 5	Lewis Ranch	Single-family dwelling units and duplexes.	32.5	0	0
Private Open Space Parcel A		Open Space and Passive Recreation Uses limited to winter use only Nordic trails as shown in Exhibit H, and access to serve Development Parcels 1, 3 and 4 in the West Neighborhood and uses permitted thereon pursuant to the terms of the Lewis Ranch Subdivision Plat, Reception #685418	0	0	0
Private Open Space Parcel B		Open Space, Passive Recreation and Active Recreation Uses limited to skiing, hiking and mountain biking, Resort Support Facilities limited to water storage tanks, equestrian trails, snow making facilities, snow cat staging and maintenance related to the foregoing	0	0	0

Neighborhood/ Parcel	Parcel Description	Permitted Uses	Equiv. Units (EUs)	Comm. SF	Cafe. SF
Public Open Space Parcel C		Open Space and Passive Recreation Uses	0	0	0
West Village Neighborhood Subtotal			126	0	0
VILLAGE CENTER NEIGHBORHOOD					
Parcel 6	Union Creek Base Area	Multi-family dwelling units, duplexes, Hotel/Condo, Hotel/Lodge, Short-Term Parking, Employee Housing Units, Affordable Housing, Cafeteria, Commercial, Outdoor Vendors, Equestrian Operation Facilities (with Conditional Use Permit), Resort Support Facilities, snow cat staging and maintenance related to the foregoing and Active Recreation Uses	79	9,000	19,000
Parcels 7 north & south	Union Creek Parking Lot	Day Use Parking, Short-Term Parking, Non-Peak Season staging and material storage and Commercial	0	200	0
Parcel 8	The Cache, Union Creek Townhomes West, Union Creek Townhomes, The Cirque	Multi-family dwelling units, Employee Housing Units, Affordable Housing, Resort Support Facilities, and Active Recreation Uses	91	0	0
Parcel 9	Telemark Lodge, Beeler Place Townhomes	Multi-family dwelling units, Hotel/Lodge, Commercial, Integrated Employee Housing Units, Affordable Housing, Resort Support Facilities, Conference Facilities, Community Facilities, and Active Recreation Uses	70	0	0
Parcel 10	The EDGE	Resort Support Facilities, Dormitory Style Employee Housing, Short-Term/Transient Lodging, Employee Cafeteria, Employee store, and charity event tent camping.	0	0	0
Parcel 11	The Lodge at Copper	Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing, Resort Support Facilities, Conference Facilities, Community Facilities, Active Recreation Uses	30	0	0
Parcel 12	Copper Commons/ Conference Center	Multi-family dwelling units, Hotel/Lodge, Hotel/Condo, Integrated Employee Housing Units, Affordable Housing, Resort Support Facilities, Conference Facilities, Commercial, Outdoor Vendors, Active Recreation Uses, Day Use Parking and Short-Term Parking	120	17,000	0
Parcel 13	Beeler Transportation Center	Day Use Parking, Short-Term Parking, Resort Support Facilities and Commercial	0	500	0
Parcel 14	Passage Point	Multi-family dwelling units, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Community Facilities, and Active Recreation Uses	133	7,600	0

Neighborhood/ Parcel	Parcel Description	Permitted Uses	Equiv. Units (EUs)	Comm. SF	Cafe. SF
Parcel 15	Copper One, Tucker Mountain Lodge, The Mill Club, Taylor's Crossing	Multi-family dwelling units, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Cafeteria, Conference Facilities, Community Facilities, and Active Recreation Uses	230	45,000	17,770
Parcel 16	Village Square, Mountain Plaza, Copper Junction, Spruce Lodge, Copper Mountain Inn, Ten Mile Haus, Timber Creek, Summit House	Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Conference Facilities, Community Facilities and Active Recreation Uses	295.67	33,000	0
Parcel 17	Snowbridge Square, West Lake Lodge, Bridge End	Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Conference Facilities, Community Facilities, Active Recreation Uses and Short-Term Parking	77.33	22,232	0
Parcel 18	Chapel Lot	Multi-family dwelling units, Hotel/Lodge, Hotel/Condo, duplexes, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Conference Facilities, Community Facilities, Active Recreation Uses, Day Use Parking and Short-Term Parking	239	28,149	0
Parcel 19	Chapel	Community Facilities, one Integrated Employee Housing Unit or Affordable Housing unit (to be used as a residence for the Chapel caretaker), Active Recreation Uses, and charity event tent camping	0	0	0
Parcel 20	B-Lot Parking Structure	Day Use Parking, Short-Term Parking and Commercial	0	50	0
Parcel 21	Lodging check-in, Fire Station, Woodward, Athletic Club	Commercial, Resort Support Facilities, Active Recreation Uses, Community Facilities, Athletic Club, Day Use Parking, Employee Housing Units, The Edge parking and telephone facility building	0	1,500	0
Parcel 22	Creekside North	Multi-family dwelling units, duplexes, Employee Housing Units, Affordable Housing and Resort Support Facilities, and Metro District domestic wells and associated pump station equipment, Community Facilities	70	0	0
Parcel 23	Copper Valley, Togwotee	Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Resort Support Facilities, Conference Facilities, and Community Facilities	42.33	0	0

Neighborhood/ Parcel	Parcel Description	Permitted Uses	Equiv. Units (EUs)	Comm. SF	Cafe. SF
Parcel 24	Sky Chutes, Creekside South, Pitchfork Base Area	Multi-family dwelling units, Hotel/Lodge, Hotel/Condo, duplexes, Affordable Housing, Employee Housing Units (provided that not more than 40 Employee Housing Units shall be permitted), Commercial, Outdoor Vendors, Resort Support Facilities, Conference Facilities, off-site parking for Parcel 23 (Copper Valley), and Active Recreation	52 EU with a maximum of 48 Actual Units at Sky Chutes (South of Copper Valley)	5,000	0
Private Open Space Parcel D	Stables Park	Open Space, Passive Recreation and Active Recreation Uses limited to Gravity Snow Sports, Recpath and Resort Support Facilities	0	0	0
Public Open Space Parcels E east & west	West Ten Mile Creek Easement	Open Space and Passive Recreation Uses	0	0	0
Private Open Space Parcel F	I-70 Hillside	Open Space, Passive Recreation and Active Recreation Uses limited to the Recpath with retaining walls associated and improvements on adjoining parcels	0	0	0
Public Open Space Parcel G	West Ten Mile Creek Easement	Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail and Zip line, and those associated facilities, and resort snowmaking water diversion improvements	0	0	0
Public Open Space Parcel H	West Lake Park	Open Space, Passive Recreation and Active Recreation Uses and with respect to those portions of this Open Space Parcel that are burdened by the Lake Easement, all Resort Support and Recreational Facilities permitted thereon pursuant to the terms of the Lake Easement	0	0	0
Private Open Space Parcel I	Burning Stones Park	Open Space, Passive Recreation and Active Recreation Uses and Resort Support Facilities, snow cat staging and maintenance related to the foregoing and a seasonal pavilion from May 15 to October 15	0	0	0
Public Open Space Parcel J	Parking Structure Park	Open Space and Passive Recreation Uses	0	0	0
Private Open Space Parcel K	Chapel Park	Open Space, Passive Recreation and Active Recreation Uses, and charity event tent camping	0	0	0
Public Open Space Parcel L	Togwotee Park	Open Space and Passive Recreation Uses	0	0	0
Village Center Neighborhood Subtotal			1,529.33	169,231	36,770

Neighborhood/ Parcel	Parcel Description	Permitted Uses	Equiv. Units (EUs)	Comm. SF	Cafe. SF
EAST VILLAGE NEIGHBORHOOD					
Parcel 25	Copper Springs	Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing and Conference Facilities	107	0	0
Parcel 26	Summit House East, Peregrine, Anaconda, Wheeler House, Elk Run, Fox Pine, Snowflake, Copper Station, Village Point, The Greens	Multi-family dwelling units, Hotel/Lodge, Integrated Employee Housing Units, Affordable Housing, Commercial, Resort Support Facilities, Cafeteria, Conference Facilities, Community Facilities, Active Recreation Uses, Open Space and Day Use Parking, and Metro District domestic wells and associated pump station equipment	253.67	26,000	14,230
Parcel 27	The Legends, The Woods	Multi-family dwelling units and duplexes	50	0	0
Parcel 28	The Masters	Single-family dwelling units, accessory apartments, caretaker units and non-residential outdoor storage	55	0	0
Parcel 29	East Lake Housing	Affordable Housing, Employee Housing Units, single-family dwelling units, multi-family dwelling units, Hotel/Lodge, Hotel/Condo, historic buildings park and Equestrian Operation Facilities(with Conditional Use Permit)	0 ⁰⁰	1,000	0
Parcel 30	Alpine Parking Lot	Resort Support Facilities, Day Use Parking, Active Recreation Uses, Non-Peak Season staging, vehicle and material storage, and charity event RV and tent camping, Affordable Housing, Employee Housing	0	0	0
Parcel 31	Maintenance Yard and Maintenance Lot	Resort Support Facilities, Community Facilities, Day Use Parking Affordable Housing, Employee Housing, staging, vehicle and material storage	0	0	0
Private Open Space Parcel N	Golf Course	Open Space, Passive and Active Recreation Uses, Resort Support Facilities, one existing monument sign and one Resort directory facility	0	0	0
Public Open Space Parcel O	West Ten Mile Creek Easement	Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail, golf, and those associated facilities, and Metro District domestic wells and associated pump station equipment	0	0	0
Private Open Space Parcel P	Golf Course	Open Space, Passive and Active Recreation Uses, Resort Support Facilities	0	0	0
Public Open Space Parcel Q	Copper Community Trail	Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail	0	0	0
Public Open Space Parcel R	Farley Park	Open Space, Passive Recreation and Active Recreation, and Metro District domestic wells and associated <u>pumping</u> equipment	0	0	0

Neighborhood/ Parcel	Parcel Description	Permitted Uses	Equiv. Units (EUs)	Comm. SF	Cafe. SF
Public Open Space Parcel S	Copper Community Trail	Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail	0	0	0
Public Open Space Parcel T	Copper Community Trail	Open Space, Passive Recreation and Active Recreation limited to the Copper Community Trail	0	0	0
Private Open Space Parcel U	Golf Course	Open Space, Passive Recreation and Active Recreation Uses, Resort Support Facilities and a commercial equestrian trail system	0	0	0
Private Open Space Parcel V	Golf Course	Open Space, Passive Recreation and Active Recreation Uses and Resort Support Facilities	0	0	0
East Village Neighborhood Subtotal			465.67	27,000	14,230
MIDDLE PARCEL					
Private Open Space Parcel W	Golf Course and Gravity Snow Sports	Open Space, Passive Recreation and Active Recreation Uses, event plaza, and Resort Support Facilities limited to snow making facilities, snow cat staging and maintenance related to the foregoing	0	0	0
Middle Parcel Subtotal			0	0	0
A-LIFT NEIGHBORHOOD					
Parcel 32	A-Lift Residential	Single-family dwelling units, accessory apartments, caretaker units, Affordable Housing, duplexes, Day Use Parking, Commercial uses and a commercial equestrian trail system	30	1,000	0
Parcel 33	Triple Treat East Parking Lot	Day Use Parking, snow storage, Non-Peak Season staging and material storage, Resort Support Facilities and Commercial	0	200	0
Parcel 34	Stables	Equestrian Operation Facilities(with Conditional Use Permit), Nordic center, Dining in the Woods and Commercial associated with the foregoing, Active Recreation Uses and Resort Support Facilities	0	1,500	0
Private Open Space Parcel X	Golf Course	Open Space, Passive Recreation and Active Recreation Uses and non-residential outdoor storage related thereto, Resort Support Facilities related to the foregoing including snow cat staging and maintenance, roads to access development Parcels 32 (A-Lift), 33 (Triple Treat East parking/snow storage), and 34 (the Stables) and a commercial equestrian trail system	0	0	0
A-Lift Neighborhood Subtotal			30	2,700	0
NORTH TEN MILE NEIGHBORHOOD					

Neighborhood/ Parcel	Parcel Description	Permitted Uses	Equiv. Units (EUs)	Comm. SF	Cafe. SF
Parcel 35	North Ten Mile Development Parcel	Commercial including convenience store and gas station with one monument sign, non-commercial auto impound lot, Equestrian Operation Facilities(with Conditional Use Permit), Day Use Parking, Resort Support Facilities, staging and material storage, snowmelt facilities, Community Facilities, CMCMD facilities, and Employee Housing Units	0	5,000	0
Public Open Space Parcel Y	Ten Mile Creek Easement	Open Space, Passive Recreation and Active Recreation Uses limited to the County Recpath	0	0	0
Public Open Space Parcel Z	Ten Mile Creek Easement	Open Space, Passive Recreation and Active Recreation Uses limited to the County Recpath	0	0	0
North Ten Mile Neighborhood Subtotal			0	5,000	0
NORTH PROPERTIES					
Public Open Space Parcel AA	North Properties	Open Space and Passive Recreation Uses	0	0	0
Public Open Space Parcel BB	North Properties	Open Space and Passive Recreation Uses	0	0	0
North Properties Subtotal			0	0	0
SKI MOUNTAIN PROPERTIES					
Claim 1	Good Semeritian	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Claim 2	Olie Lind Timber (Copper Owned)	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Claim 3	Lillie G. and Lillie G. No. 2 (Copper Owned)	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Claim 4	Lillie G. and Lillie G. No. 2	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Claim 5	Hattie H	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Claim 6	Mona, Excellanza, Lule No. 2, F.D.W., Silver Cloud, Reconstruction, Little Sliver, Bessie, Little Willie, C and S, Mollie G	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0

Neighborhood/ Parcel	Parcel Description	Permitted Uses	Equiv. Units (EUs)	Comm. SF	Cafe. SF
Claim 7	Storm King	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Claim 8	Spread Eagle, Westfalia, Yellow Mask	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Claim 9	Bee Hive, Sirius	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Claim 10	New York	Active Recreation Uses limited to alpine and Nordic skiing, snowboarding and similar activities and facilities related thereto	0	0	0
Ski Mountain Properties Subtotal			0	0	0
TOTAL PUD			2,151	203,931	51,000

Notes to Table 1:

- Where there is a conflict between the land uses outlined in Table 1 and the other sections of this PUD Designation, the provisions of Table 1 shall prevail.
- Temporary real estate sales offices are permitted within the Property if approved as a temporary use in accordance with the Code and/or approved Site Plan Review.
- Recreational trails shall be permitted in any Development Parcel subject to the provisions of this PUD Designation.
- Resort Special Events are allowed in the Property subject to all applicable provisions in the PUD and the Code, except in Open Space Parcels OS-A (Lewis Ranch), OS-C (Lewis Ranch), OS-E, OS-G, OS-L, and OS-O (Stream Easements), OS-J (Parking Structure Park), OS-M (Timbercreek Park), OS-S and OS-T (Recpath and Community Trail), OS-Y and OS-Z (North Ten Mile Neighborhood) OS-AA (North Property), and OS-BB (North Property) where such events are prohibited.
- The permitted densities of Equivalent Units, Commercial space and Cafeteria space set forth in Table 1 above were calculated based on the "Build-out Analysis of Copper Mountain Resort", and maintained in Technical Appendix 4, hereinafter referred to as the Report. Build out analyses are an approximation of the current land uses found in the Property based on the best available data, including County records, leases and condominium maps or townhouse plats. Any increases or decreases shall be accounted for by a Planning Department amendment to the Report, and by changes to the density shown in Table 1 during any subsequent Major PUD Amendment.
- Home occupations are permitted within any residential dwelling unit subject to the home occupation provisions of the Code. Accessory apartments, caretakers' quarters and non-residential outdoor storage are allowed within any single-family residential development subject to the provisions of the Code except in the West Neighborhood where they are prohibited.
- Equivalent Units and Commercial square footage are transferred to or from Development Parcels in accordance with the provisions of Section 2.3 of this PUD Designation. This density may be permitted in addition to the density listed under the other columns in Table 1.
- Snow cat staging activities including parking, fueling and minor equipment repair shall be allowed outside Parcel 31, Maintenance Yard and Maintenance Lot, from October 1 to December 31 in preparation for winter ski area operations and April 1 to June 1 in preparation for spring closure of winter ski area operations. In extremely dry years, the County will be notified when this use is extended beyond these dates.
- Temporary material storage associated with Resort Operations shall be allowed in the Non-Peak Season within Day Use Parking areas identified in Table 1 with adequate water quality measures per the Code.

- j. Outdoor storage associated with special events shall comply with the requirements of Section 2.9 Resort Special Events
- k. Golf course construction staging shall be allowed within Open Space parcels containing the golf course.
- l. Emergency services involved in an emergency management operation shall be allowed in all Development and Open Space Parcels.
- m. Development on Parcel 24 (Sky Chutes/Creekside South) is limited to either 52 market rate units or 40 Employee Housing Units or a combination of market-rate and Employee Housing Units such that the total number of Actual Units within Development Parcel 24 does not exceed 48 Actual Units in the southern portion (Sky Chutes) and 4 Actual Units in the northern portion (Creekside South).
- n. Technical Appendix 4 and Exhibit M identifies allowed and existing land use densities and shall be updated with each major PUD amendment.
- o. Residential development on Parcel 30 (North Alpine) is limited to up to 80 Affordable and/or Employee Housing Units.
- p. Parcel 24 (Sky Chutes/Creekside South) allows 4,000 SF of Commercial uses within Sky Chutes Lodge and 1,000 SF Commercial uses within the Pitchfork base area facility.
- q. Employee Cafeteria and Employee store in Parcel 10 (The Edge) shall be an allowed use and shall not count against the total allowed density for those uses within the Resort.
- r. Refer to Exhibit M for density transfer tracking documentation.
- s. Refer to Exhibit N for the On-Mountain Mine Claim Density Bank Log.

C. Accessory Uses

Accessory uses associated with residential, Commercial, mixed use, or other resort development projects shall include garages, storage sheds, private dish antennas, mechanical system facilities, front desk/lobby areas, minor utility facilities, motor vehicle parking/storage, recreation buildings and amenities directly associated with the primary use. Other accessory uses may be permitted by the Planning Department based on the similarity to accessory uses as listed for residential and/or commercial districts in the Code, or governmental or quasi-governmental uses if the requested uses are necessary to further the public health, welfare or safety.

D. Conditional Uses

Conditional uses shall include gravel crushing, asphalt and concrete batch plants, off-site construction materials staging and storage and site trailers, except as defined as an allowed use in Table 1. Conditional uses require review and approval through the County's Development Review process based on the similarity to conditional uses as listed for residential and commercial districts in the Code, with the predominant surrounding land use of the proposed site used to guide the decision. Snowmelt facilities may be permitted through a Conditional Use Permit on Parcel 35 (North Ten Mile Development Parcel). The Equestrian Operation Facilities shall be permitted in Parcels 6 (Union Creek Base Area), 29 (East Lake Housing), and 34 (Stables) subject to review through a Conditional Use Permit.

E. Temporary Uses

- (i) The Owner may install off-site construction office trailers, staging areas and storage trailers as temporary uses. These temporary uses shall be reviewed administratively by the Planning Department using the criteria of the Code and this PUD Designation.
- (ii) Temporary uses can alternatively be reviewed as part of a site plan review for projects provided sufficient information about the proposed temporary use is included in the Site Plan Review application material.

F. Density Bank

A density transfer bank is established to hold development rights for mining claim properties identified on Exhibit N of this PUD Designation. These development rights may be transferred to other properties in the County in accordance with the Transferable Development Rights (TDRs) Regulations in the Code. The Copper Mountain PUD Density Bank Transfer Log (Exhibit M) shall

be used to track/account for mining claim density transfers as they occur over time. Density bank transfers shall be accounted for in a manner consistent with Subsection 2.3.F of this PUD Designation.

2.2 EQUIVALENT UNIT CONVERSION

The permitted uses are expressed in terms of Equivalent Units and are shown in Table 1. Table 2 below defines the factors used to convert actual residential dwelling and lodging units to Equivalent Units.

Table 2. Equivalent Unit Table

Unit Type	Actual Units	Equivalent Units
Single -Family Dwelling (less than 2,500 SF) ⁽²⁾	1 Unit	1 Unit
Single -Family Dwelling (greater than 2,500 SF) ⁽²⁾	1 Unit	2.5 Unit
Duplex Unit (less than 2,500 SF)	1 Unit	1 Unit
Duplex Unit (greater than 2,500 SF) ⁽³⁾	1 Unit	2.5 Unit
Multi-family Dwelling (average of 1,400 SF) ⁽⁴⁾	1 Unit	1 Unit
Lock-off Unit	1 Unit	1/3 Unit
Hotel/Lodge	1 Unit	1/3 Unit
Hotel/Condo ⁽⁵⁾	1 Unit	1 or 1/3 Unit
Affordable/Employee Housing ^{(1)/(6)}	1 Unit	0 Unit

Footnotes:

1. Notwithstanding Table 2 or any other provision of this PUD Designation, appropriately restricted Employee Housing Units, Affordable Housing Units, accessory apartments and caretaker quarters and sleeping quarters associated with ambulance and/or fire station personnel are deemed to equal zero Equivalent Units.
2. Single-Family dwelling units in the West Village Neighborhood (Lewis Ranch) less than 5,000 SF will count as two Equivalent Units. Single-Family dwellings in the West Village Neighborhood (Lewis Ranch) of 5,000 SF or more shall count as 2.5 Equivalent Units.
3. Duplexes in the West Village Neighborhood are exempt from this requirement and will count as one Equivalent Unit per actual unit built.
4. The average size of the multi-family units within any individual buildings on any Development Parcel shall not exceed 1,400 square feet. If the average size of the multi-family units within any individual buildings on a Development Parcel exceeds 1,400 square feet, then additional EUs will be allocated in order to compensate for the additional residential square footage at 1 Equivalent Unit per 1,400 square feet.
5. Any unit greater than 520 square feet and/or containing a full kitchen shall be designated as one Equivalent Unit. Any unit less than 520 square feet with no kitchen or containing a small kitchen shall be designated as one-third of one Equivalent Unit.
6. Refer to Section 2.6 (Employee and Affordable Housing) for The EDGE and other Dormitory Style Employee Housing density.

2.3 DENSITY TRANSFER

The Owner shall be permitted to transfer Actual Units, Equivalent Units, Commercial and Cafeteria square footage in the following manner:

- A. Subject to Subsection 2.3.B through 2.3.J below, the Owner or other property owner owning density in the PUD shall be permitted to transfer Equivalent Unit density, Commercial floor area, and Cafeteria floor area between Development Parcels within each Neighborhood, and between Development Parcels in different Neighborhoods. Density transfers allowed by this Section 2.3 do not preclude or count against density bonuses for redevelopment as allowed per Section 2.4 below.

- B. Density shall not be transferred into the West Village Neighborhood (Lewis Ranch).
- C. The permitted Equivalent Unit, Commercial and Cafeteria square footage areas within any Development Parcel, as outlined in Table 1 of this PUD Designation, shall not be allowed to increase more than 5% of the maximum Equivalent Unit, Commercial or Cafeteria square footage area allowed for each Development Parcel as approved on the Effective Date without a PUD Amendment allowing additional density. Exhibit M shall be used to track density that may be transferred into a parcel if that parcel is below the 5% maximum allowance.
- D. Density from a Development Parcel shall be transferred concurrent with approval of a Development Review by the County.
- E. The transfer of density shall be consistent with the provisions of this PUD Designation. Determination of compliance with the provisions of this PUD Designation shall be done at the time of Development Review.
- F. Density transfers shall be administratively reviewed and approved by the Planning Department for compliance with this Section 2.3 and permitted uses as outlined in Table 1 and Table 1 notes. Density transfers shall be administratively accounted for by the Planning Department, with such records kept within the PUD designation on Exhibits M and N attached hereto. When a PUD Amendment is requested, such Amendment shall also seek to amend this PUD Designation to reflect the prior density transfers that have been approved.
- G. The permitted Equivalent Units, Commercial, and Cafeteria densities shall not be converted from one type of land use to another (e.g. Commercial to residential) during a density transfer.
- H. All un-built Commercial, Cafeteria and multi-family residential Equivalent Unit density within the Resort is owned exclusively by the Owner. All un-built single-family and duplex lot residential Equivalent Unit density, on parcels owned by the Owner at the time of the effective date of the PUD, is owned exclusively by the Owner until it is allocated to a platted lot at which time it is owned by the owner of the lot unless extinguished as per the County Code.
- I. Notwithstanding any other provision herein, density may not be transferred to (i) any parcel of land not included within the Property subject to this PUD Designation on the Effective Date; and (ii) new or expanded Development Parcels requested by a future PUD Amendment initiated after 2013 without a major amendment to the PUD.
- J. On-mountain mining claims are not subject to the above-stated density transfer allowance.
- K. The number of Actual Units of Employee Housing and Affordable Housing are not limited except where specified within the PUD.

2.4 REDEVELOPMENT OF EXISTING PROPERTIES

- A. Permitted densities of Development Parcels are identified in Table 1 above. Should the owners of an existing project wish to increase the density on their property beyond the densities approved by the County during previous Development Reviews, either through additions, remodel, or redevelopment, the property owner must either (i) amend this PUD Designation for the amount of additional density an owner may want to use, or (ii) shall provide written documentation that such owner has obtained the written consent to acquire from the Owner, or other property owner owning density in the PUD, or Summit County, the necessary development rights for such density increase, unless said owners are seeking a density bonus as outlined below in Subsection 2.4.C below.
- B. After the Effective Date, the owners of an existing project wish to decrease the density on their property below the densities approved by the County during previous Development Reviews, either

through additions, remodel, or redevelopment, the excess density created from the redevelopment remains in the ownership of the homeowner association or individual property owner, as applicable. The homeowner association or individual property owner may sell excess density to the Owner or a third party developer building within the Property unless the said unit(s) of density is to be extinguished by mutual consent between the property owner and the County.

- C. To encourage redevelopment, any multi-family or Mixed-Use Building that is completely redeveloped (via project demolition and reconstruction) may be granted a percentage increase in Equivalent Unit, Cafeteria, or Commercial density in the amounts listed in Table 2A, based on the density of the building(s) that exist at the time of the redevelopment project application. Any proposal to allow for the redevelopment density increase shall be requested by the applicant and reviewed by the County as a part of the Development Review process for the building in question.

Table 2A. Density Bonus Table

Number of Previously Approved Units in the Building(s)	Density Bonus
1 to 50 units	20%
51 to 100 units	10%
Over 100 units	5%

- D. Concurrent with a density bonus as granted in Subsection 2.4.C, the density limitations set forth in Table 1 and Subsection 2.1.A shall be deemed increased accordingly, with approved density increases allowed per this Section 2.4 made to Table 1 and to Subsection 2.1.A during any subsequent PUD Amendment. An increase in Equivalent Unit, Commercial or Cafeteria density pursuant to this Section 2.4 shall not be deemed a transfer of density to or from any Development Parcel or any Neighborhood.
- E. Redevelopment projects shall comply with the development standards as listed in the Code where a specific development standard is not addressed in the PUD Designation.
- F. Density bonuses shall become effective upon approval of the specific Site Plan Review. Table 1 shall be adjusted upon the next major PUD amendment.

2.5 ACTUAL BOUNDARIES OF DEVELOPMENT PARCELS

The boundaries of the Development Parcels are generally shown on Exhibit B-1. Development within these parcels shall be in accordance with the legal property line boundaries of the properties contained in the Development Parcel.

2.6 EMPLOYEE AND AFFORDABLE HOUSING

A. Employee and Affordable Housing Units

- (i) An "Employee Housing Unit" shall mean any type of dwelling unit that is:
 - (a) encumbered by an Employee Housing Use Restriction, lease provision, recorded covenant, deed restriction, recorded condo declaration and/or map or other restriction approved by the Planning Department (an "Employee Use Restriction") restricting the occupancy of such unit, to, at a minimum, an Employee during Peak Season.
 - (b) Unless as otherwise specified in Section 2.6, outside of the Peak Season, units may be occupied by a "Qualified Occupant."
- (ii) An "Affordable Housing Unit" shall mean any type of dwelling unit that is:
 - (a) provided for sale or for rent that is restricted in perpetuity to occupancy by individuals meeting the eligibility requirements and occupancy standards as set forth in this PUD

Designation, subsequent covenants and the Summit County Affordable Workforce Housing Deed Restriction Guidelines, as amended from time to time. Affordable Housing is restricted in ownership, occupancy and/or sale to provide in a perpetual manner, moderately priced housing to be occupied by a "Qualified Occupant", in accordance with priority of sales and rentals 2.6.I.iii.

- (b) an Affordable Housing unit or project shall be designated as a rental or for sale unit or project at the time of site plan submittal. Designated rental units or projects shall be owned by the Owner, a third-party contractor to the Owner, or a third-party employer within the PUD.

B. Employee and Affordable Housing Bed Credits ("bed credits")

Employee and Affordable Housing bed credits are calculated as follows:

- (i) Two (2.0) bed credits for each bedroom contained in an Integrated Employee Housing Unit but only to the extent such unit contains at least 500 square feet of Living Space for a one bedroom or studio unit, and 400 square feet per bedroom for all other Integrated Unit types. The following six units are exemptions to the minimum size requirements for Integrated Employee Housing Units: Passage Point 323 and 423, Tucker Mountain Lodge 114, 115, 116 and 117;
- (ii) Two (2.0) bed credits for each Affordable Housing ownership unit and one (1) bed credit for each bedroom in an Affordable Housing rental unit provided either within or outside the Resort as allowed in Subsection 2.6 G but only to the extent such unit contains the minimum floor areas as outlined in Table 3 below. Reference 3.1 E for additional design criteria for the North Alpine Neighborhood.

Table 3. Minimum Unit Sizes				
Housing Type	Studio	1 bedroom	2 bedroom	3 bedroom
Affordable Housing Ownership Units	570 sf	650 sf	950 sf	1,200 sf
Affordable and Employee Housing ⁽¹⁾ Rental Units	520 sf	600 sf	850 sf	1,000 sf

(1) Dormitory Style Employee Housing shall follow spatial requirements defined in 2.6 G (ii).

- (iii) Two (2.0) bed credits for each Employee Housing Unit, whether on-site or off-site, to the extent such unit meets the spatial requirements of Table 3 or 300 square feet living space per person for Dormitory Style Employee Housing as defined in Section 2.6 G (ii). Bed Credits and spatial requirements for The EDGE are as defined in Section 2.6 E (i) and Table 4 below.

C. Employee and Affordable Housing Requirement

The Owner shall arrange for a minimum of 926 bed credits, as set forth below, to accommodate CMR's seasonal and year-round Employees. This requirement is comprised of existing credits and required credits to be provided and is summarized below:

- (i) a minimum of 542 bed credits in The EDGE building in perpetuity;
- (ii) a minimum of 274 bed credits in the Integrated Employee Housing Units in perpetuity;
- (iii) a minimum of 30 bed credits (15 units) in Copper Point Townhomes in perpetuity;
- (iv) 30 Affordable Housing bed credits and 50 Employee Housing bed credits to be provided within the following parameters:

- (a) By November 30, 2021 or prior to certificate of occupancy for hotel or multi-family development at Parcel 32, A-Lift, whichever occurs first, deliver either:
 - a. 30 Affordable Housing bed credits; or
 - b. 50 Employee Housing bed credits.
- (b) Fulfillment of all credits shall be completed by December 31, 2023.
- (c) See Section 2.6 G for information regarding fulfillment of credits.
- (d) Determination of Unit Mix:
 - a. Prior to submission of an application for Development Review for any Employee and/or Affordable Housing development, the Owner shall, in consultation with the County or its designee, develop and conduct a Copper Housing Employee Survey to obtain information supporting the housing types and unit mix being requested.
 - b. If the County or its designee finds the requested housing types and unit mix is responsive to the needs documented in the Employee Survey, then the Owner may submit the appropriate Development Review application for review to ensure conformance with the development standards of the PUD and the Code. The determination of whether the proposed housing type and unit mix is responsive to the documented needs of the community shall be processed as a Class 2 administrative review.
- (e) The Owner shall be deemed to have satisfied the bed credit requirements listed under Subsection 2.6.C (iv) above upon issuance of a Certificate of Occupancy for that unit or project.
- (f) Any conversion of existing offices, storage rooms, resort support area or short-term/transient lodging rooms within The EDGE building will not count towards fulfilling the additional 50 bed credits requirement.

D. Annual Survey

On or before June 30th of each year, the Owner in coordination with POLA and/or the Copper Mountain Resort Association shall prepare and conduct an annual survey and the Owner shall submit to the Planning Department a report containing the following information to the extent related to this PUD Designation (a "Survey"):

- (i) An inventory of the employment status of all occupants in the Integrated Employee Housing Units and the additional Employee Housing and Affordable Housing to be provided in accordance with Sections 2.6 (once such units have been constructed or otherwise provided in accordance with the applicable PUD requirements);
- (ii) A status report of the Employee and Affordable Housing Requirement listed in Section 2.6.C of the PUD Designation;
- (iii) A status report of the 10% exemption for the Integrated Employee Housing Units described in Subsection 2.6.E. (ii) of the PUD Designation.
- (iv) The total number of Peak Season Employees that resided at The Edge.

E. Existing Inventory of Employee and Affordable Housing Units

The County and the Owner acknowledge and agree that as of the PUD Effective Date, 296 rooms in The EDGE, 110 Integrated Units and 15 Units at Copper Point Townhomes are allocated a static number of credits as Employee or Affordable Housing, as set forth in Table 4 below.

Table 4. Existing Employee and Affordable Housing Credits

Location	Units	Credits
The EDGE (Rooms)	296	542
Integrated Housing	110	274
Copper Point Townhomes	15	30
TOTAL	421	846

(i) The EDGE

The County and the Owner acknowledge and agree that the EDGE shall be regulated according to the following standards and parameters:

- (a) The EDGE shall have a maximum occupancy of 582 Peak Season Residents.
- (b) The maximum occupancy does not take into account the potential conversion of any existing office spaces back to residential rooms. The maximum occupancy may be increased should future office spaces be converted back to residential rooms. Any room considered for double occupancy beyond 582 occupants shall be a minimum of 150 square feet. Any proposed conversion and increase in occupancy shall require a Class 2 submittal to the County and approval by the fire marshal and building official. Any increase in the maximum occupancy shall maintain a minimum of 200 square feet per occupant as documented in Appendix 59.
- (c) Regardless of maximum occupancy, a maximum of 542 bed credits may be allocated to The EDGE. Any conversion from office to residential rooms will not be counted towards bed credits.
- (d) During each Peak Season, when Employee occupancy of the Edge Building is at 80% occupancy or greater, a maximum of ten (10) units within The EDGE may be reserved for Short-term/Transient Lodging. When Employee occupancy of The Edge is below an 80% occupancy rate, the 10 unit limit is not applicable and an unlimited number of the unoccupied employee housing rooms may be utilized for Short-term/Transient Lodging until such time that there is demand for the rooms to be used for Employee housing.
- (e) The EDGE building's Dormitory Style Employee Housing units are exempt from the minimum size requirements. Reference Technical Appendix 59 of the 2008 PUD, updated in 2018.
- (f) The Owner at all times shall maintain a minimum of 61,775 square feet of common space within The EDGE for uses including but not limited to lobby, dining and Employee laundry facilities.
- (g) Non-Peak Season – Permitted Uses

During the Non-Peak Season and extending until December 15th of the Peak Season the following uses may be permitted within the EDGE facility:

- i. Short-Term/Transient Lodging. A number of units shall be maintained in The EDGE to meet the Non-Peak Employee Housing needs. The remaining units may be used for short-term/transient lodging and lodging for persons employed by a business operating in Summit County. Rental of such units shall be permitted, provided such rentals are only to provide low Average Daily Room (ADR) lodging alternative to market rate units, for use by non-profit or other special interest groups such as churches, bands, camps, teams or Special Olympics, friends and family of Employees, persons employed within Summit County, or for other similar uses subject to the approval of the Planning Department.

- ii. Conference Facilities
- iii. Resort Support Uses

(ii) Integrated Employee Housing Units

Table 5. Integrated Employee Housing Unit Inventory

Room Type	Units	Credits
Double Units	27	108
Single Units	83	166
TOTAL	110	274

- (a) Integrated Employee Housing Units are restricted at all times to occupancy by an Employee or as otherwise set forth herein. Outside of Peak Season, units shall be occupied by either Employees or Qualified Occupants meeting the definition of Qualified Occupant set forth in Chapter 1. At all times the occupant of the unit shall use it as their primary residence.
- (b) Exemptions: Up to 10% of the Integrated Employee Housing Units may qualify for an exemption from the Peak Season occupancy requirements provided the occupant is a Qualified Occupant or meets the criteria for grandfathering contained herein. The unit must be used as the occupant's primary residence.
- (c) Disability: An Integrated Employee Housing Unit exemption is not required for an occupant who becomes disabled and can no longer fulfill the work requirements necessary to occupy an Integrated Employee Housing Unit. A disabled occupant seeking to occupy a unit under this subsection shall submit a written request and provide documentation of their disability to POLA and/or the Copper Mountain Resort Association and/or the County in accordance with applicable POLA rules and regulations. Units occupied pursuant to this subsection (c) must continue to be the primary residence of the occupant and shall not count toward the 10% exemption allowance, regardless of whether the occupant initially required an exemption prior to becoming disabled.
- (d) Retirement: An Integrated Employee Housing Unit exemption is not required for a person over 67 years of age so long as they have owned and occupied the unit as their primary residence for a time period of not less than ten (10) consecutive years immediately prior to the date of retirement, and were actively employed within the County for ten (10) consecutive years prior to the date of retirement and satisfied the requirements of subsection A) or B) of the definition of Qualified Occupant set forth in Chapter 1.
- (e) Emergency Personnel: An Integrated Employee Housing Unit exemption is not required for a Summit County Sheriff deputy or officer, nor is one required for a Summit Fire and EMS employee whose assigned station is at Copper.
- (f) Annual Process to Review and Grant Exemptions: Exemptions will be determined by POLA and/or the Copper Mountain Resort Association and the County annually on a case-by-case basis. Once an exemption has been granted, the exempt property remains exempt for as long as the occupant meets the required criteria and conditions remain the same; provided, however, that the occupant must verify qualification for the exemption on an annual basis by completing and submitting the required documentation to POLA in accordance with POLA rules and regulations.
 - i. Grandfathering: An occupant who received an exemption under Section 2.6.E.ii.a.ii of the PUD recorded on June 26, 2018 (Rec. No. 1176974) and/or

Section 3.a.ii of the POLA Rules and Regulations document recorded on September 25, 2009 (Rec. No. 923321) and would not otherwise qualify for an exemption under the current PUD or Rules and Regulations shall be grandfathered as exempt. Any such grandfathered exemption will count towards the 10% cap on exemptions.

- (g) Annual Survey: All owners must complete an annual survey for the unit to be reviewed and approved by POLA and/or the Copper Mountain Resort Association and the County.
- (h) If any of the recognized Integrated Employee Housing Units listed in Technical Appendix 47 ceases to be controlled in accordance with the restrictions on Integrated Employee Housing Units as set forth in this PUD (unless granted an exemption as described in Subsection 2.6.E(ii)(a) above), then the Owner shall replace the lost unit with a comparable Integrated Employee Housing Unit that provides an equal number of bed credits and is restricted in a manner acceptable to the County, within 12 months.
- (i) All Integrated Employee Housing Units within the Property are also subject to the rules and regulations of POLA and/or Copper Mountain Resort Association. The County, POLA, and/or Copper Mountain Resort Association shall cooperate and coordinate with regards to the various rules and regulations that apply to the management, monitoring, and enforcement of Integrated Employee Housing Units.

F. Fulfilling the Employee and Affordable Housing Requirement

- (i) The required 30 Affordable Housing Credits and 50 Employee Housing Credits may be fulfilled in the following ways:
 - (a) Partnership with the County or Towns of Frisco, Dillon or Silverthorne to build affordable housing in a future development within the Towns of Frisco, Dillon or Silverthorne to the extent feasible, and/or;
 - (b) Provide new Employee and/or Affordable Housing units at Parcel 30 (North Alpine), and/or;
 - (c) Payment in Lieu based on a mutually agreed upon formula, which will be developed by the County or its designee and the Owner within a mutually agreed upon time frame and approval process. The payment in lieu formula may be based on formulas existing in other resort communities or may be specific to the commitments for Affordable Housing at Copper Mountain Resort, but it should generally define a subsidized cost per Affordable Housing unit (construction cost less income from sale per unit or bed) plus yearly increase based upon an inflation index, or other mutually agreed upon method, and/or;
 - (d) Integrated into future developments at Parcel 6 (Union Creek), Parcel 12 (Copper Commons), Parcel 18 (Chapel Lot), Parcel 24 (Sky Chutes/Creepsouth), Parcel 22 (Creepsouth North) and Parcel 32 (A Lift), and other Development Parcels at Copper Mountain as identified in Table 1, and/or;
 - (e) Purchase or convert existing market rate properties within the resort with agreed upon quality standards defined as outlined in the 'Buy Down Criteria' document attached hereto as Exhibit O, and/or;
 - (f) Purchase or convert market rate properties outside the Resort within Summit County which meet agreed upon standards as outlined in the 'Buy Down Criteria' document attached hereto as Exhibit O, and deed restrict these units as Employee Housing and/or Affordable Housing in accordance with the eligibility requirements and occupancy standards set forth in

the PUD and the Summit County Affordable Housing Deed Restriction Guidelines, as amended from time to time.

- (ii) Dormitory style housing is an acceptable means of attainment for Employee Housing. Common areas may be included in the calculation to achieve a minimum of 300 square feet per person of Employee Housing. The determination to include common areas shall be made by the County or its designee and be related to overall livability of the Employee Housing facility. In making its determination, the County may consider such factors as: 1) the quality of common areas such as cooking and dining facilities, laundry, and a computer lounge, 2) amenities in the individual units such as refrigerators, private bathrooms, microwaves, and televisions, 3) access to transit, and 4) proximity of nearby amenities such as entertainment, shopping, dining, and groceries.

G. Eligibility Requirements

Affordable Housing units shall comply with the Affordable Workforce Housing Regulations set forth in Section 3809.02 of the Code, which may be amended from time to time, unless otherwise defined in this PUD or agreed to by the Owner and the County at the time of formal review process. A County approved deed restriction shall be required per Code that is drafted in accordance with the Summit County Affordable Workforce Housing Deed Restriction Guidelines, as amended from time to time.

H. Affordable Housing Real Estate Sales and Rental

- (i) Owner or Owner's Representative shall provide for sale Affordable Housing units, or for rent Affordable Housing units as defined below, at an average of up to 110% of the County's AMI between a range of 80% and 140% AMI. While the sales price of individual units may vary, the average sales price of the project(s), as a whole, shall be set so as to be affordable to households earning no more than 110% of AMI.
- (ii) Unit Mix. At any time when delivery of Affordable Housing units is contemplated, the Owner or Owner's Representative shall demonstrate that the units are offered at a range of AMI-based purchase prices and rental rates that will be affordable to the Resort and County workforce with acknowledgement that the purchase prices of the for-sale Affordable Housing units are permitted to average up to 110% of AMI and that the rental units are permitted to be leased at an average rental rate up to 70% of AMI in accordance with this Section 2.6.H. The Owner shall follow steps outlined in 2.6.C.iv.d – Determination of Unit Mix as part of the Development Review application for the Affordable Housing units.
- (iii) Priority of Sales and Rentals: Priority to purchase or rent the Affordable Housing units may be given to qualified buyers or occupants in the following order: (i) first, for a minimum of 20 days after the Units are released to the market, to Employees of the Owner or PUD employees employed in a job that averages a minimum of 30 hours per week during the ski season and continue to be employed at the Resort or within Summit County and a resident of Summit County the remaining portion of the year; (ii) second, to Qualified Occupants.
- (iv) Resale Value. The resale value of Affordable Housing units shall follow the deed restriction recorded against the property and/or guidelines substantially in that form as set forth in the Summit County Affordable Workforce Housing Deed Restriction Guidelines, as amended from time to time.
- (v) Rental Rate. The average rental rate of the Affordable Housing units shall not exceed affordability limits (as most recently determined by the U.S. Department of Housing and Urban Development (HUD) specifically for Summit County) for families and individuals at or below 70% of AMI. While the rental rates of individual units may vary, the average rental rate of all rental units provided as part of the Affordable Housing commitment, as a whole, shall be set so as to be affordable to households earning no more than 70% of AMI.

J. Recognition of Public Benefits

- (i) The County and the Owner have agreed to allow for-sale Affordable Housing units at a maximum average of 110% AMI and allow for-rent Affordable Housing units at a maximum average of 70% AMI in recognition of the following public benefits provided by the Owner:
 - (a) Workforce Housing Program Assistance. A portion of the RETA funds, described in Section 9.7, may be allocated towards workforce housing related programs.
 - (b) Workforce Housing Program Grant. The Owner has voluntarily granted the County the sum of \$50,000 to be used specifically for workforce housing related programs.
 - (c) Density Elimination. The Owner has voluntarily extinguished the existing development rights associated with the Owner's on-mountain mining claim density (Claims 2 and 3 as identified on Table 1 and Exhibit B2).

2.7 OUTDOOR VENDORS

- A. Outdoor vending from an open stand, pushcart, vehicle or an outdoor site shall be permitted within the boundaries of the Property subject to the provisions of this PUD Designation and other applicable regulations (i.e., business license, environmental health regulations, etc.). Such uses shall be administratively reviewed by the Planning Department prior to such uses occurring within the Property. If an outdoor vendor operates more than fourteen consecutive days, the area of such use shall count towards the overall Commercial density allowed per this PUD Designation.
- B. Outdoor Vendors are allowed to operate for more than fourteen consecutive days within the Property in the parcels listed in Table 1 with approval from the Planning Department through a Class 2 Site Plan Review. Commercial square footage permitted associated with Outdoor Vendors operating for more than fourteen consecutive days is limited to a maximum of 1,000 SF per parcel.
- C. All outdoor vendors shall meet the minimum requirements of the currently adopted and amended International Fire Code (IFC).

2.8 RESORT SPECIAL EVENTS

- A. Resort special events (i) may involve the placement of tents and associated temporary facilities including a seasonal pavilion (to be used for concerts, meetings, conferences, banquets, art shows, activities, etc) no larger than 20,000 SF; (ii) do not require the installation of permanent pads or other permanent fixtures, except for Burnings Stones Plaza and (iii) shall meet the criteria set forth in Subsection 2.9.D below.
- B. Resort Special Events are allowed within the Property except in Open Space Parcels OS-A (Lewis Ranch), OS-C (Lewis Ranch), OS-E, OS-G, OS-L, and OS-O (Stream Easements), OS-J (Parking Structure Park), OS-M (Timbercreek Park), OS-S and OS-T (Recpath and Community Trail), OS-Y and OS-Z (North Ten Mile Neighborhood) OS-AA and OS-BB (North Properties), where such special events are prohibited.
- C. All summer and winter Resort Special Events shall be submitted to the Open Space & Trails Department under a bi-annual operating plan. The operating plan shall be submitted on or before April 30th for summer events and on or before October 30th for winter events. The operating plan shall address the operational needs of the Resort Special Event for each event including but not limited to parking improvements, emergency services access, police protection, water and sewer services, pedestrian/bike access, Summit County property interest, estimated number of participants, estimated number of spectators, organizer contact information and a vicinity map/site plan for each special event.
- D. Special Events shall meet the following criteria:

- (i) No permanent pads or other fixtures are permitted.
 - (ii) Maximum duration for the event, including set up and removal, shall not exceed 14 days in duration unless otherwise permitted by the County.
 - (iii) Noise levels, lighting, traffic and hours of operation associated with the Resort Special Event do not create any significant adverse impact on surrounding residential areas; and,
 - (iv) Adequate provisions have been made for emergency services and emergency access, police protection, water, sewer, pedestrian access and other such necessary infrastructure.
 - (v) Charity event tent camping is allowed in Parcel 10 (The Edge), Parcel 19 (Copper Chapel) and OS K. RV and tent camping is allowed in Parcel 30 (Alpine Lot) per conditions of the Summit County bi-annual special event permit and as noted below. In general, such camping shall comply with the following:
 - No more than three (3) approved special events per calendar year between June 1st and September 30th meeting the definition set forth in Chapter 1 of “charity event” shall include RV and tent camping in support of such events.
 - Copper Mountain Resort Operations shall be responsible for management of all camping activities;
 - All camping shall maintain a minimum stream/wetland buffer of 25-feet measured from top-of-bank;
 - All portable toilets shall maintain a minimum stream buffer of 100-feet measured from top-of-bank;
 - An appropriate number of toilet facilities shall be conveniently located and maintained in good repair during all camping events;
 - Potable water shall only be provided with written approval of the Summit County Public Health Department; and,
 - As part of the special event permitting process, Copper Mountain shall provide for review and comment by Environmental Health information on the anticipated number of campers along with the shower and sanitation facilities to be made available during the event. In addition Copper Mountain shall advise all RV campers of the available RV dumping facilities in the County.
- E. The bi-annual operating plan shall be reviewed by the Open Space & Trails Department, in conjunction with the County’s Special Events Committee. Events that are outside of the Property shall be permitted separately, as outlined in Summit County Resolution No. 2004-90, which establishes permitting regulations for conducting special events on Summit County roads, property and property interest. Applications must be submitted forty-five (45) days in advance of the special event or the first event in a series of special events.
- F. The applicant shall notify the Open Space and Trails Department of any substantial change in a special event that requires a change in the operating plan, within 10 days of the event. A substantial change is defined as a change in event location/route, change in date, and deletion or addition of a new special event. The applicant shall provide a written narrative of the proposed changes, along with an updated site map and plans, for review and approval of the Open Space & Trails Department and the Special Event Committee. In no cases may the applicant make a substantial change to a special event shown in an operating plan within 5 days of the special event.

2.9 EQUESTRIAN OPERATION FACILITIES

All Equestrian Operation Facilities within the Property shall be designed so as to prevent any direct surface drainage into either Ten Mile Creek or West Ten Mile Creek. All Equestrian Operation Facilities shall be regularly cleaned of manure, with the manure disposed of using BMPs to protect water quality

(refer to Section 6.5). Any manure deposited on the paved Recpath shall be removed within one day (24 hours).

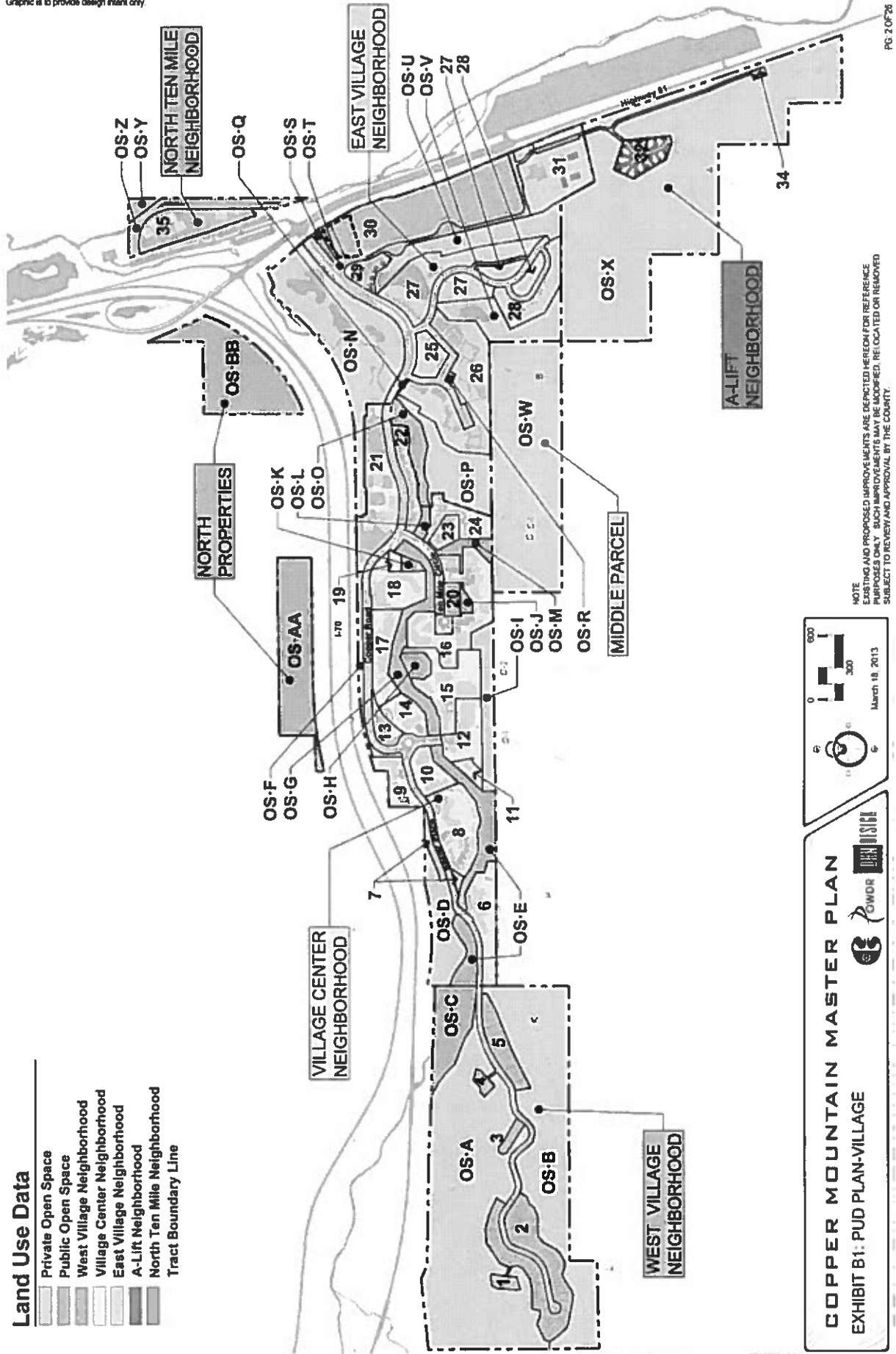
Relocation of the stables and Equestrian Operation Facilities shall be subject to review and approval of a Conditional Use Permit process through the County to ensure compliance with water quality and BMPs.

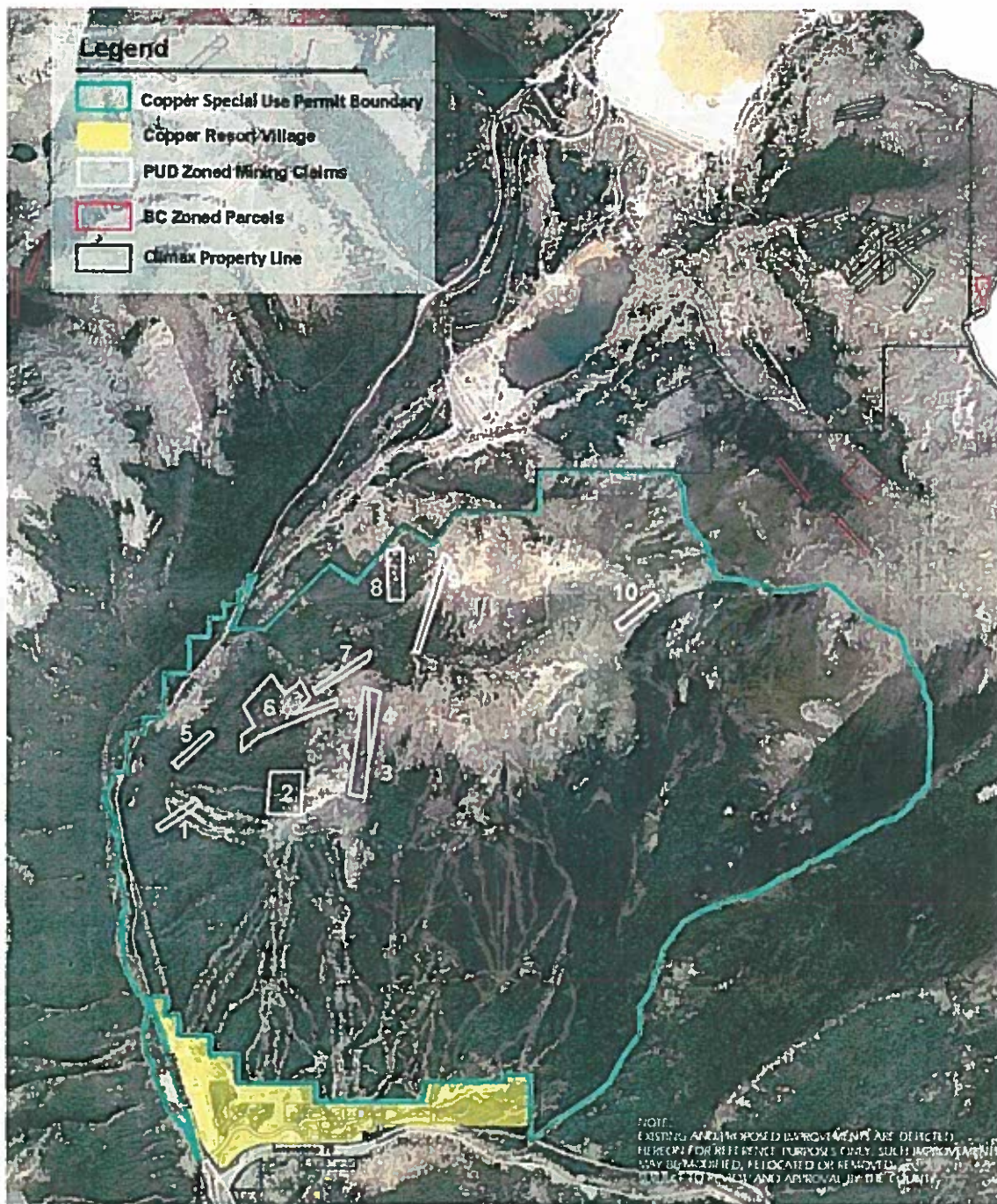
COPPER MOUNTAIN PUD UPDATE

(06.26.2018) | Exhibit B1

This graphic is not for construction, nor is the graphic to scale.
Graphic is to provide design intent only.

NORRIS DESIGN
Planning | Landscape Architecture | Branding





COPPER MOUNTAIN MASTER PLAN
EXHIBIT B2: PUD PLAN -
MINING CLAIMS



January 10, 2013



3.0 Building & Site Design

3.1 ARCHITECTURAL STYLE AND DESIGN GUIDELINES

- A. All projects requiring a building permit shall adhere to the standards of this PUD and where not specifically covered, the provisions in Section 3505 of the Code. Building and site design standards of this PUD that differ from those stated in the Code shall supersede those provisions in the Code because of special circumstances or in order to achieve certain development or design objectives.
- B. Project and building design shall be consistent with the design guidelines set forth in (i) the sections of the Copper Mountain Subbasin Plan of the Ten Mile Master Plan entitled "Visual Design Guidelines,"; and (ii) applicable sections of the Code.
- C. West Neighborhood Design Criteria

In addition to the design provisions listed in the Subbasin Plan, the following design guidelines apply to all development in the West Neighborhood. If a design provision relating to the West Neighborhood is not specifically covered in this PUD Designation, the provisions of the Code shall be used, wherever applicable:

- (i) Neighborhood Design Provisions for Residential Development
 - (a) All individual development lots shall have a building envelope that is designated as a part of the subdivision Development Review. The building envelope shall define areas where soil disturbance is allowed for permitted and accessory uses. No Building Projections are allowed outside of the building envelopes. No disturbance is permitted outside of the envelopes with the exception of utilities, drainage improvements, driveway and road construction, tree removal for forest management or fire mitigation. Parking areas must be within the building envelope. Trees that are not to be removed for construction, fire mitigation, or forest management, will be protected from construction activities.
 - (b) The maximum size of a building envelope shall be 5,000 square feet.
 - (c) All building envelopes shall be designed to maximize the use of existing stands of trees to screen the structures from the I-70 corridor.
 - (d) Retaining walls shall be used to minimize site grading.
 - (e) To the extent practicable, drainage from the roads shall be directed away from the natural wetlands into man-made wetlands, or directed into detention/retention facilities to protect water quality and wetland communities.
 - (f) Lots within the West Neighborhood may have frontages less than 50 feet along roadways, or less than 30 feet on cul-du-sacs so long as the proposed lot frontages are reviewed and approved by the County during the preliminary/final plat process. The County's review of the proposed lot frontages shall ensure that there is adequate access, buildable area, and open space for each lot. In any event, the lot frontage shall not be less than 30 feet along roadways, or 15 feet on cul-du-sacs. No minimum lot frontage is necessary for lots served by an access easement.
- (ii) Architectural Design Standards (Applies to Habitable Structures)

- (a) Buildings shall be designed to minimize their visual impact from I-70.
- (b) Foundations shall be stepped where appropriate into the hillside where reasonably practicable.
- (c) All residences shall have fire sprinkler systems.
- (d) Exterior building colors shall blend with the natural environment. The use of natural materials shall be used to the greatest extent practicable.
- (e) Roofing materials shall be non-reflective and shall blend with the natural environment.
- (f) Window glazing shall not be tinted such that it results in excessive glare or reflection.
- (g) All disturbed slopes shall be re-graded to blend into the natural site conditions.
- (iii) Landscaping
 - (a) The maximum area of manicured landscaped area within each building envelope shall not exceed 300 square feet.
 - (b) All landscape improvements shall be in compliance with the Wildfire Mitigation requirements and Landscaping Regulations of the County.
- (iv) Roads and Driveways
 - (a) All roads and driveways shall be designed and constructed using the standards outlined in the Code, except that a shared driveway can serve up to five dwelling units.
- (v) Policy
 - (a) Caretaker units or accessory apartments shall not be permitted in this Neighborhood.
 - (b) Any new development or modification to existing development, including but not limited to the development or redevelopment of ski runs, lifts, snowmaking systems, and trails shall be in compliance with the applicable provisions of this PUD Designation.

D. North Ten Mile Neighborhood Design Criteria

Buildings and other valuable objects shall be reinforced to resist avalanche impact and/or depositional loads as required in this paragraph and by the building department and applicable codes. Given the fact that the outer limits of this area are affected primarily by powder avalanches or relatively low density dry flowing avalanches, mitigation, including direct protection and reinforcement, is required whenever avalanche zones cannot be completely avoided. Such mitigation should be included in building design and consider location, orientation, special design features and reinforcement.

E. North Alpine Neighborhood Design Criteria

In addition to the design provisions listed in the Copper Mountain Subbasin Plan, the following design guidelines apply to all development in the North Alpine Neighborhood. If a design provision relating to the North Alpine Neighborhood is not specifically covered in this PUD Designation, the provisions of the Code shall be used, wherever applicable:

- (i) Neighborhood Design Provisions for Residential Development

- (a) Existing berms with mature landscape buffering the site from Highway 91, I-70 and Copper Road shall be maintained.
 - (b) Internal circulation shall be designed to create distinct separation between the residential development and adjacent Day Use parking area.
 - (c) A public park/common area shall be provided along the Community Trail. The public park shall be approximately 10,000 sf and include a minimum of 2 amenity elements, such as the following: (1) bike fix-it station, (2) shade shelter, (3) parkour, or (4) play features.
 - (d) At the time of Site Plan review, the County shall review the governing documents for the project to ensure that long-term maintenance and management of the park is provided for and reflects the desired and anticipated use of the area.
- (ii) Architectural Design Standards.
- (a) Building Scale and Massing
 - a. Buildings shall be designed to minimize their visual impact from I-70 and Highway 91.
 - b. Buildings shall be massed to step from adjacent development at Copper Point and Highway 91.
 - c. Building articulation, stepping and massing may include use of height variations, roof form variations, such as gables and sheds, and façade variations such as windows, balconies and projections. Buildings shall not exceed 4 stories.
 - d. Reference Copper Mountain Sub-basin Plan “Visual Design Guidelines” and PUD Section 3.3 B for additional design standards.
 - (b) Materials.
 - a. Natural and cementitious exterior materials shall be used to the extent practicable to help the structures blend into the natural landscape. Exterior colors shall be natural earth toned, dark and/or subdued. Other colors may be used as accents for window trim, fascia trim, deck railings and trim, and other building trim work to provide architectural detail and differentiation.
 - b. Highly reflective glass or highly reflective metal surfaces are discouraged and must be minimized, with the exception of solar energy systems. Window glazing shall have 15% or less reflectance.
 - c. Roofing materials shall be non-reflective and shall blend with the natural environment.
 - (c) Storage. Bicycle parking shall be provided for residents. Adequate storage shall be provided for each unit, either within the unit or integrated within a storage facility (i.e. a storage locker or cage for each unit within a storage room or shed). The review authority shall determine if adequate storage is provided through the Class 4 Site Plan for Employee and Affordable Housing based on unit type, occupancy and precedent examples from other similar Employee / Affordable Housing development.
- (iii) Landscaping
- (a) Berms shall be created to buffer the site from adjacent Day Use parking.
 - (b) All landscape improvements shall be in compliance with the Wildfire Mitigation requirements and Landscaping Regulations of the County and in this PUD.

(iv) Roads and Driveways

- (a) All roads and driveways shall be designed and constructed using the standards outlined in the Code.

3.2 ARCHITECTURAL REVIEW COMMITTEE

Applicants for all new development proposals and building modifications within the Property shall submit such proposals for review by the Copper Design Review Committee ("CDRC"). The appropriate County hearing authority shall consider all comments received from CDRC in its consideration of the Development Review application.

3.3 BUILDING HEIGHT STANDARDS

- A. Buildings shall not exceed the height limits set forth in Table 6 below for the applicable Development Parcel. Building height shall be determined using the methodology outlined in Section 3505 of the Code as of the Effective Date, except that driveway entrances and emergency access into underground garages shall not count as the lowest elevation for purposes of such methodology.
- B. Heights listed in this section (Subsection 3.3) are the maximum allowed and not guaranteed, and building heights may be limited by the provisions of Sections 3.5, Viewshed Protection, and other applicable design provisions of the PUD designation (setbacks, design standards of the master plan, etc.). Any building proposing to exceed four stories shall include unique architectural elements that provide visual interest and focus while "stepping back" the upper floors by reducing the floor plates to reduce the mass of the proposed building as it rises in height. Building Architectural Design Standards as stated in Section 3505.05 of the Code are especially critical and shall be specifically utilized to the maximum extent practicable to promote the reduction in apparent scale, massing and roof lines of structures greater than four (4) stories in height.
- C. The heights of lift towers may be greater than the maximum height outlined in Table 6 in a given Neighborhood. Lift towers shall comply with the requirements of the Colorado Tramway Safety Board.
- D. The maximum height of walls and fences shall be per the Code, except for highway noise and safety barriers, the height of which shall be reviewed and approved by the County.
- E. All future development within the Copper Mountain PUD shall meet the minimum requirements of the International Fire Code (IFC) and all adopted and approved appendices at the time of development review application.

Table 6. Building Heights

Parcel (5)	Maximum Height	Parcel (5)	Maximum Height	Parcel (5)	Maximum Height
1	35'	13	20'	25	60'
2	35'	14	75'	26	60'
3		15	30'/75'(2)	27	35'
4	35'	16	90'	28	35'
5	35'	17	75'	29	50'
6	100'(1)	18	135'(3)	30	60' / 35' (6)
7	40'	19	30'	31	45'

Parcel (5)	Maximum Height	Parcel (5)	Maximum Height	Parcel (5)	Maximum Height
8	75'	20	20'	32	35'
9	75'	21	55'/75' ⁽⁴⁾	33	25'
10	80'	22	45'/55' ⁽⁷⁾	34	35'
11	75'	23	60'	35	55'/35' ⁽⁶⁾
12	75'	24	40'/50/60' ⁽⁸⁾		

Footnotes:

1. Residential, Commercial and Cafeteria development is restricted to the eastern portion of the Village Center Neighborhood Parcel 6 (Union Creek) defined by a line parallel to and 700' west of the eastern most property line of that parcel. Building heights shall be kept to five stories or less and shall be designed to avoid impacts to basin view corridors. However, buildings may exceed five stories up to 100' maximum height when the building height is transitioned reducing floor plates for upper stories to create the effect of "stepping down" the ends of the building to less than five stories.
2. 75' for all buildings other than West Lake Single-story Commercial Buildings; and 30' for all West Lake Single-Story Commercial Buildings.
3. Building heights shall be kept to ten stories or less and shall be designed to avoid impacts to basin view corridors. However, buildings may exceed ten stories when:
 - The taller building incorporates unique architectural elements that provide visual interest and focus and is designed to ensure compatible transition with surrounding buildings including, but not limited to, reducing the floor plates for the upper stories to create the effect of "stepping down" the building height adjacent to the surrounding buildings.
 - View corridors listed in Section 3.5 are not impacted.
4. Parcel 21 has a maximum building height of 55' for all buildings other than the fire station. The fire station site may have one architectural feature (the CMCMD fire station training tower) that may be up to a maximum of 75' in height.
5. As stated in the Copper Subbasin Plan, a shade and view analysis, as well as a building massing study, may be required during the Development Review process when existing surrounding developments may be impacted as determined by the Planning Department, except for any proposed single-family residential or duplex developments.
6. Maximum height shown as 60' for Affordable and Employee Housing buildings; 35' for all structures other than Affordable or Employee Housing buildings. Structures shall not exceed 4 stories. Buildings shall follow architectural standards established in 3.1 (E) above for development on the North Alpine site.
7. Buildings may have a 55' height maximum if the building incorporates underground parking.
8. Creekside South buildings and the Pitchfork Base Area building (north of Copper Valley) shall have a maximum height of 40'. Any part of the Sky Chutes Lodge (south of Copper Valley) that is less than 80' away from Copper Valley shall have a maximum height of 50' that shall be comprised of a 30' maximum height to the roof plate and up to an additional 20' of sloped roof.

3.4 BUILDING AND PARKING SETBACK STANDARDS

Table 7 below defines the setbacks that shall be used in evaluating Development Review applications for all projects within the Property. Setbacks shall be measured from the edge of property lines; and no structures are allowed within such setbacks unless it is permitted per the specific setback exceptions outlined in the PUD or the Code. Multi-family, Hotel/Lodge and Hotel/Condo parking areas shall comply with the Code requirements for setbacks from roads and access ways.

Table 7. Building Setbacks ⁽¹⁾

Setback From	West Village	Village Center	East Village	A-Lift	North Ten Mile
Side Property Line	NA	NA ⁽⁶⁾	NA ⁽⁶⁾	10'	25' for residential uses; 5' for all other land uses
Rear Property Line	NA	NA ⁽⁶⁾	NA ⁽⁶⁾	10'	25'
USFS Property Line	10' ⁽⁹⁾	10' ⁽⁹⁾	10' ⁽⁹⁾	10' ⁽⁹⁾	NA
Wetland Boundary	25'	25'	25'	25'	25'
Public Access Trail Easements ⁽²⁾	25'	10'	10'	25'	25'
Roads					
Local Access Road ⁽¹⁾	20'	10'	10'	20'	25'
Copper Road ROW	NA	25'	25'	NA	NA
I-70 ROW	NA	25'	25'	NA	NA
SH-91 ROW	NA	NA	50' ⁽⁶⁾	50' ⁽⁶⁾	NA
Ski Lifts ⁽⁷⁾⁽⁸⁾	20'	20'	20'	20'	NA
Shared Driveway ⁽⁵⁾	20'	NA	NA	NA	NA

Footnotes:

1. See also Subsection 7.4 in the PUD regarding wetlands and streamside setbacks.
2. Public Access Trails are those trails identified on the Trail Plans (Exhibit G).
3. Local Access Roads provide direct access to and connections between individual residences, businesses, community facilities and other land uses. Except for Copper Road, all roads within the Resort are Local Access Roads. The setback is measured from the edge of the property line except where the setback is superseded by a platted building envelope.
4. The Planning Commission or BOCC can reduce the setbacks for ski lift terminals at the base of the mountain.
5. Shared Driveways are those portions of driveways that serve more than one unit but not more than five units. The setback is measured from the edge of the property except where the setback is superseded by a platted building envelope.
6. The following represents landscaping buffers acceptable to the County:
 - 1 deciduous tree with a minimum caliper of 1 ½ inches for every 2 lineal feet of buffering, or
 - 1 collected conifer with an average height of 8 feet for every 6 lineal feet of buffering, or
 - 1 nursery grown conifer with an average height of 8 feet for every 10 lineal feet of buffering.
 - Other combinations of landscaping plant materials can be approved by the County if they provide the same level of visual buffering.
 - Within the 50-foot setback from SH91, a landscape buffer shall be installed as part of any development proposal in the East Village and A-Lift Neighborhoods.
7. There are no setbacks for lift terminal facilities subject to the regulations of the Colorado Tramway Safety Board. The 20' building setback from ski lift corridors is measured from the centerline of the cableway and conforming to the air space requirements of the Colorado Tramway Safety Board, as may be amended from time to time.
8. Refer to the Uniform Fire Code as adopted and amended from time to time by the CMCMD Fire Department for building separation requirements.

3.5 VIEWSHED PROTECTION

For each development project, there shall be a Development Review intended to protect views of the Ten Mile Range, the hillside north of I-70, and the ski mountain from existing units and the Key Public Spaces to the extent reasonably practical given the nature of such proposed project. A viewshed analysis shall be submitted concurrent with each Development Review to demonstrate compliance with this section of the PUD Designation. "Key Public

Spaces” shall mean the seven areas described below as illustrated generally on the map attached hereto as Exhibit C.

Key Public Spaces

- A Union Creek Ski Base
- B Union Creek Plaza (south side of the Schoolhouse building)
- D West Lake Area
- E Chapel Park
- F Copper Station Ski Base
- G Copper Station Plaza

3.6 SITE COVERAGE STANDARDS

- A. For any Mixed-Use Building for which Development Review approval is sought, the amount of impervious surface contained within the site plan of record which includes such Mixed-Use Building shall not exceed 85% of the total land surface of such project area. For any residential-only building for which Development Review approval is sought, the amount of impervious surface contained within the site plan of record which includes such residential-only building shall not exceed 65% the total land surface of such project area.
- B. For purposes of this Section 3.6: (i) undisturbed areas left in natural vegetation, (ii) re-vegetated areas having a permeable surface, (iii) landscaped areas having a permeable surface and (iv) in the Village Center and East Village Neighborhoods, sidewalks, pedestrian streets, plazas, and other hardscapes intended for pedestrian use shall not be considered impervious surfaces, so long as the Landscaping Regulations of the Code are met as required by Section 3.11 of this PUD Designation.

3.7 LIGHTING STANDARDS

- A. Exterior lighting shall be provided in parking lots, public areas, walkways, and on building exteriors where necessary. Exterior lighting fixtures shall employ full cut-off devices that direct the light down and eliminate glare that can be seen off-site. To ensure compliance with this section of the PUD Designation, the County shall review all exterior lighting during the applicable Development Reviews. All lighting shall comply with the requirements set forth in the Code.
- B. Street lighting shall not be allowed in the West Village Neighborhood.

3.8 OUTDOOR STORAGE STANDARDS

Non-residential outdoor storage for resort equipment and supplies is permitted in those areas identified in Table 1 of Section 2 of the PUD Designation.

- A. The visual impacts created by storage areas shall be mitigated. Visual mitigation can be accomplished through fencing, earth berms, landscaping, enclosures, etc. Visual mitigation shall adequately screen such non-residential storage areas. The visual mitigation plan for non-residential outdoor storage areas shall be reviewed and approved by the Planning Department and the visual mitigation measures shall be installed per the approved plans prior to the initiation of storage occurring on the site.
- B. The size of the non-residential storage areas shall not be regulated, provided such areas do not negatively impact adjacent surrounding uses and provided that the storage area's visual impacts are sufficiently mitigated to the approval of the Planning Department.

- C. The existing vehicle maintenance facility does not require additional visual mitigation.
- D. Seasonal construction staging, contractor construction equipment, and Resort Operations equipment storage and maintenance shall be allowed in the existing Day Use Parking lots without additional visual mitigation for a maximum period of 210 days as an allowed temporary use and shall not require a County permit.

3.9 SIGN CONTROL STANDARDS

All signs within the Property shall comply with the currently approved Copper Mountain Sign Program as well as be reviewed and approved by CDRC and the County prior to installation.

3.10 MODULAR FACILITIES STANDARDS

All new modular facilities shall comply with the provisions of the Code for manufactured and modular structures.

3.11 LANDSCAPE DESIGN STANDARDS

Landscaping within all developments shall be installed in accordance with a detailed landscaping plan approved by the County with each applicable Development Review application. Landscaping plans shall be prepared and evaluated per the Development Code.

The Owner agrees to landscape the following areas of the Property. The landscaping projects shall be completed in conjunction with the identified development project.

- A. Landscape plans for these projects shall be submitted to the County for review by the applicable review authority concurrent with the required Development Review applications for the associated development projects.

Table 8. Landscape Project Triggers

Landscape Project	Planned Improvements	Implementation Mechanism
Reach 1: West Ten Mile Creek Stream Corridor (between Snowbridge Square and Ten Mile Circle)	Channel restoration and wetland plantings	Development of Parcel 18 (Chapel Lot), Village Center Neighborhood
Reach 2: West Ten Mile Creek Stream Corridor (between Ten Mile Circle and Copper Road)	Channel restoration and wetland plantings	Development of Parcel 22 (Creekside North), Village Center Neighborhood
Reach 3: West Ten Mile Creek Stream Corridor (Copper Road into the golf course)	Channel restoration and wetland plantings	Development of Parcel 22 (Creekside North), Village Center Neighborhood
I-70 Embankment (between Telemark Lodge and Center Parking Lot West)	Bank stabilization (including a retaining wall)	Development of Parcel 22 (Creekside North) or Parcel 13 (Beeler Transit Center), Village Center Neighborhood
Copper Road (between Ten Mile Circle and Hwy 91)	Hardscape median, lighting and signage	Development of Parcel 22 (Creekside North), Village Center Neighborhood
Center Parking Lots	Perimeter landscaping	Construction of Center Parking Lots
Ten Mile Circle	Sidewalks/Recpath construction and landscaping	Elimination of the existing mass transit lane

- B. Landscape planning should generally focus on restoration of the native landscape thereby restoring wildlife habitat and eliminating the need for irrigation after the initial grow-in period. In areas where a more "formal" landscape is desired native plants shall be used and water conserving irrigation methods shall be utilized.
- C. Landscaping for individual projects shall be included with the Development Review application. The proposed landscaping plans shall be reviewed by the County during that process.
- D. The Owner shall be responsible for any landscaping projects that are not maintained by a respective homeowner association.

3.12 STEEP SLOPES

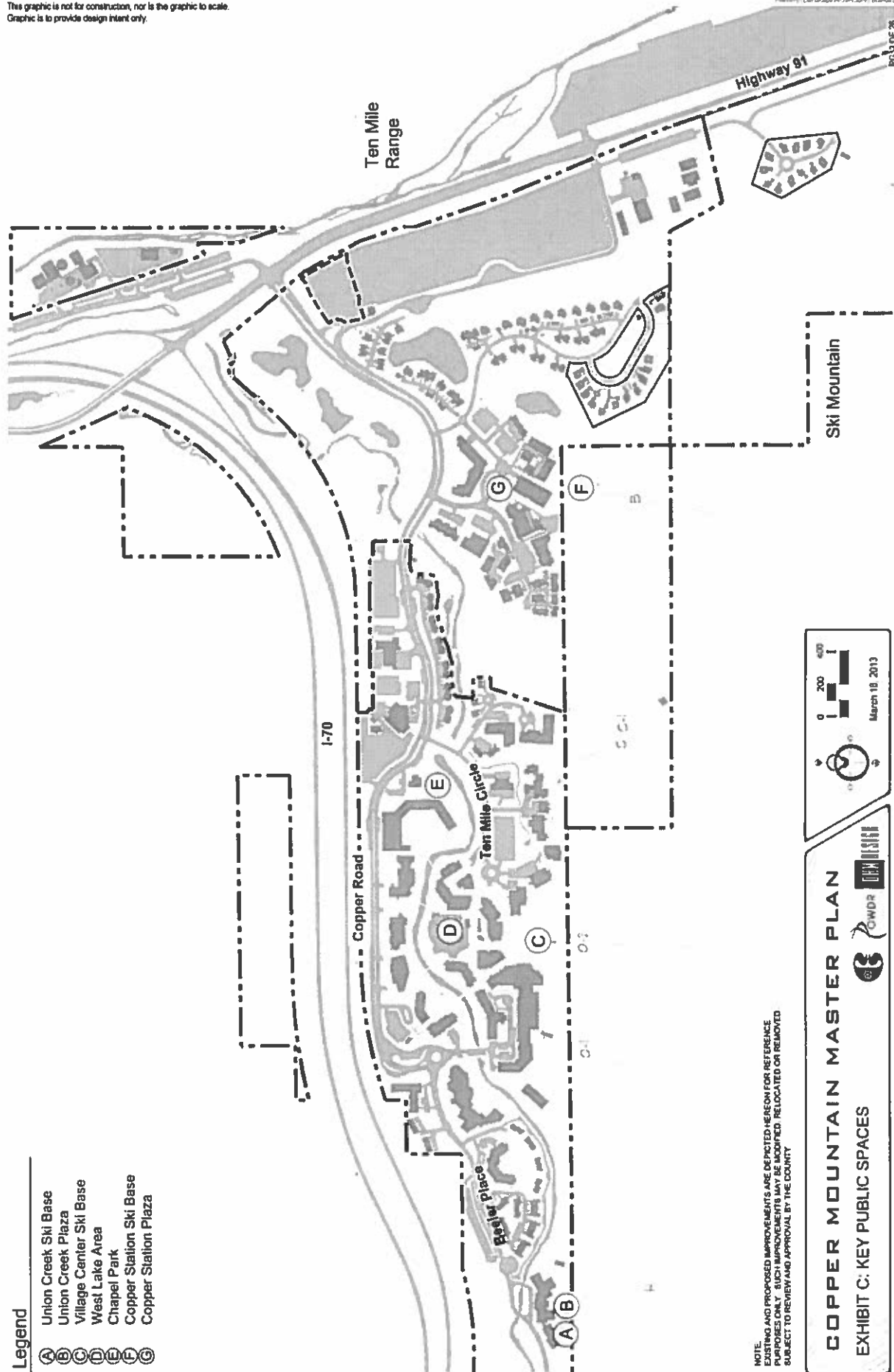
Slopes in excess of 30% shall be avoided to the greatest extent practicable. The proposed mitigation measures to compensate for building on slopes in excess of 30% shall be reviewed by the County with the Development Review application.

COPPER MOUNTAIN PUD UPDATE

(06.26.2018) | Exhibit C

This graphic is not for construction, nor is the graphic to scale.
Graphic is to provide design intent only.

NORRIS DESIGN
Planning | Landscape Architecture | Branding



Legend

- A Union Creek Ski Base
- B Union Creek Plaza
- C Village Center Ski Base
- D West Lake Area
- E Chapel Park
- F Copper Station Ski Base
- G Copper Station Plaza

NOTE:
EXISTING AND PROPOSED IMPROVEMENTS ARE DEPICTED HEREON FOR REFERENCE
PURPOSES ONLY. SUCH IMPROVEMENTS MAY BE MODIFIED, RELOCATED OR REMOVED
SUBJECT TO REVIEW AND APPROVAL BY THE COUNTY

COPPER MOUNTAIN MASTER PLAN

EXHIBIT C: KEY PUBLIC SPACES



March 18, 2013



4.0 Parking, Roads & Transportation

4.1 PARKING

A. Residential Parking Requirements

Residential parking within the Resort shall be provided for all new residential and lodging development and redevelopment within the Resort, based on the parking requirements shown in Table 9.

Table 9. Residential Parking Requirements

Unit Type	Parking Spaces
Single-family detached	2 per unit
Duplex	2 per unit
Multi-Family	1 per unit
Hotel/Lodge & Hotel/Condo (less than 50 Actual Units per building)	1 per unit
Hotel/Lodge & Hotel/Condo (50 or more Actual Units per building)	0.75 per unit
Lock-Off Unit	0.33 per unit
Integrated Housing Unit:	Shall comply with the requirement for the type of residential unit as listed in this table (i.e. multi-family = 1 space/unit; duplex= 2 spaces/unit)
The EDGE Dormitory-Style Seasonal Employee Housing Building ⁽¹⁾	147 designated off-site parking spaces segregated from Day Use parking spaces in Center Lot East
Affordable Housing and Employee Housing	1 space per bedroom plus 0.5 spaces per additional bedroom for multi-family. 2 spaces per single-family/duplex unit of housing

Footnotes:

1. The Edge building off-site parking must be reserved only for use by Employees by a mechanism deemed appropriate by the County, preferably signage and enforcement. Such reserved parking cannot be counted towards Day Use Parking. One parking space is required for every 4 occupants of The Edge.

B. Non-Residential Parking Requirements

(i) Non-Residential Parking Requirement

Except as set forth in Subsection 4.1.A. above and Subsection 4.1.C. below, no parking shall be required for: (a) new development or redevelopment of Commercial space, Cafeteria space, Conference Facilities, Community Facilities, Recreational Facilities and Resort Support Facilities; or (b) Employees generated by new development or redevelopment within the Property. It is intended that parking for Employees within the Property and parking for day visitors to the Property (other than parking for persons residing within the Property) will be available within the Day Use Parking lots.

(ii) Commercial Parking for Previously Approved Site Plans

The County may allow any commercial parking requirement for previously approved site plans to be eliminated if the County receives written consent from the owners of the commercial property for which such commercial parking was previously required; provided, that if the commercial parking requirement to be eliminated was satisfied by commercial parking located on a condominium or townhouse property, such commercial parking requirement may not be eliminated unless the County receives written consent from the homeowner's association for such condominium or townhouse, if any. The County's allowance for the elimination of the commercial parking requirement is also contingent on the Owner providing sufficient Day Use Parking spaces as outlined in Section 4.1.C below.

C. Day Use Parking

Parking spaces shown in Table 10 below represent the number of parking spaces available within each parking area. The parking areas have been designated in compliance with current County standards for engineered parking spaces.

(i) Existing Day Use Parking and Parking Area Locations/No Net Loss Policy

The Owner shall ensure that the current number of Day Use Parking spaces does not decrease below 4,284 parking spaces as per Code, however refer to Table 10 for triggers related to required increases in the number of parking spaces. The installation of replacement on-site Day Use Parking spaces shall occur prior to any new developments commencing in the Resort that would make the existing Day Use Parking area or lot inaccessible for Day Use Parking.

The location of the parking areas and the ultimate number of Day Use Parking spaces within the Property are shown on Exhibit D except as provided for in subsections 4.1C(ii) and 4.1C (iii).

(ii) Proposed Day Use Parking and Parking Area Locations

The Owner shall provide Day Use Parking spaces in the locations identified on Table 10 below (as shown on Exhibit D). The Owner may increase or decrease the number of parking spaces provided in the Day Use Parking locations, provided the Owner demonstrates to the approval of the Planning Department that the proposed Day Use Parking change maintains the minimum number of Day Use Parking spaces that the Owner is required to provide pursuant to Subsection 4.1.C (i) and that the provisions of this PUD Designation are met.

(iii) The Owner may propose interim plans to those plans identified in Exhibit D Parking Plan, as long as the interim plans meet the objectives of this section by providing a minimum of 4,284 parking spaces per Code. Potential interim plans that may be proposed by the Owner are contained in the Technical Appendix 67, or the Owner may propose alternate interim plans for County consideration that meet the minimum requirements stated above.

(iv) Additional parking in excess of quantity described in Table 10 may be provided as structured parking in all Day Use Parking lots.

Table 10. Existing and Proposed Day Use Parking⁽¹⁾⁽⁸⁾

LOCATION BY OWNERSHIP	EXISTING	PROPOSED		SURFACE MATERIAL	IMPLEMENTATION MECHANISM
Private Land					
Beeler Lot	126	0		Paved	Removed upon development of Development Parcel 13, Beeler Transportation Center, 12, Copper Commons and/or 22, Creekside North
Chapel Lot	381	0		Unpaved	Removed upon development of Development Parcel 18, Chapel Lot
Triple Treat	154	0		Unpaved	Removed upon development of Development Parcel 32, A-Lift
Union Creek Lot	91	91		Paved	Existing
B-Lot ⁽⁹⁾	100	100		Structured	Existing
Alpine Lot ⁽⁴⁾⁽⁸⁾⁽⁷⁾	1,728	1,972		Unpaved	Will be expanded on an as-needed basis to maintain the minimum PUD designated Day Use parking space requirement of 4,284 parking spaces based on the results of the annual parking reports and the removal of existing Day Use parking areas on private land subject to the approval of the Planning Department
Maintenance Lot	61	106		Unpaved	To be expanded with the development of Parcel 32, A-Lift
Center Lots					
Center Lot West	0	183		Unpaved	Development of Parcel 18, Chapel Lot
Center Lot East ⁽¹⁰⁾	0	0		Unpaved	147 spaces for employees living at The Edge - Development of Parcel 12, Copper Commons and/or 18, Chapel Lot, and/or 30, North Alpine Housing, whichever is developed first
Wheeler Lot ⁽⁶⁾	29	29		Paved	Existing
North Ten Mile	52	0		Unpaved	Construction of possible future snow melt facility or Employee Housing
Copper Circle	53	0		Paved	To be removed with development of Copper Commons
Subtotal Private Land⁽⁵⁾	2,775	2,481			

LOCATION BY OWNERSHIP	EXISTING	PROPOSED		SURFACE MATERIAL	IMPLEMENTATION MECHANISM
Public Land					
North Ten Mile ⁽⁹⁾	360	360		Unpaved	Existing, or on as need basis
Far East Lot ⁽²⁾	1,386	2,360		Unpaved	Existing, or on as needed basis
Subtotal Public Land	1,746	2,720			
TOTAL	4,521	5,201			

Footnotes:

1. The Day Use parking space numbers are based on engineered drawings of existing parking areas used in the 2006/2007 ski season and proposed parking lot expansions/additions/relocations utilizing County parking lot design standards.
2. The Far East Lot consists of 1,386 Day Use Parking spaces as of the Effective Date and has been approved for a total of 2,360 through a Special Use Permit with the USFS.
3. Parking within the CDOT right of way, within the North Ten Mile neighborhood, is permitted per a 5 year agreement with CDOT (November 1, 2017 – October 31, 2022). This agreement renews automatically on an annual basis extending the term beyond the expiration date for one-year periods. Per the lease agreement, North Ten Mile parking is not required to meet minimum PUD parking requirements and is only used for overflow parking. Parking spaces within the North Ten Mile neighborhood are required to meet CDOT's dimensional requirements.
4. These numbers do not include 8 off-site parking spaces allocated for Janet's Cabin.
5. Day Use Parking shall include non-residential and overflow lodging parking.
6. Wheeler Lot has a total of 91 spaces; 62 parking spaces are dedicated to Copper Springs Lodge, Foxpine Lodge, and Snowflake Lodge through condominium documents and the remaining 29 parking spaces are available for Day Use parking.
7. The total parking proposed at full build out of the Alpine Lot is projected based on the removal of all spaces affected by the North Alpine Housing Neighborhood and potential expansion/modifications to the Alpine Parking Lot and will be further analyzed as development occurs.
8. Projected parking counts for un-built parking lots are based on existing conditions and may change depending on site conditions at time of Development Review and final construction drawings.
9. The B-Lot parking structure is currently managed by the Owner on behalf of the B Lot Parking Association. If the agreement between the Owner and the B Lot Parking Association is amended and Day Use Parking spaces are lost, the Owner shall notify the County and shall replace the number of lost spaces elsewhere within the resort to the approval of the Planning Department.
10. Center Lot East shall be developed in conjunction with Parcel 12, Copper Commons, Parcel 18, Chapel Lot or Parcel 30, North Alpine Housing, whichever occurs first, and will be used for The Edge Employee parking in order to replace the parking spaces removed for development.

(iv) Copper Road Parking

Parking is prohibited on Copper Road (except for Special Events when parking on Copper Road may be approved by the County as a part of a Class 4 Temporary Use Permit) for a specific Special Event. Summit County may deny a temporary use permit for parking on Copper Road at certain times of the year.

(v) Overall Parking Performance

(a) Prohibition of Overflow Parking

Parking on County roads within the Copper Mountain Resort PUD is prohibited for Day Use Parking. In no event shall the Owner direct day skiers or event attendees to park on County roads except for Special Events when parking on Copper Road may be approved by the County as a part of a Class 4 Temporary Use Permit. Sufficient Day Use parking and special event parking shall be provided for the demands for the Resort's anticipated skier traffic. In cases where Resort staff observes individuals violating this policy, best efforts shall be taken to notify the County Sheriff's Office, which can then determine and take appropriate action.

(b) Overflow Parking Enforcement

The Owner agrees to consistently meet the demand for parking for the operations on the Property and at the Resort. For the purposes of this overriding obligation, a failure to consistently meet such obligations shall be deemed to exist if, within the period of one winter operating season, the Owner fails to meet resort parking demands as evidenced by guests being turned away from the Resort or using non-approved parking (i.e., County roads, State Highways, etc.) from the Resort for four (4) or more days within the operating season. The Owner is required to notify County staff within 48 hours that potential guests had been turned away because of a lack of parking. If determined by County staff that the number of days in violation were due to business volume and not due to variables outside of the operator's control (such as road closures due to weather), then the Owner must, upon notification by the County, within ninety (90) days provide to Summit County plans to adequately address the defined parking violation. Failure to adhere to this procedure shall be considered a violation of the PUD and subject the Owner to any enforcement actions as provided for herein.

(c) Annual Parking Counts

The Owner shall submit annual parking counts to the Planning Department no later than May 30th of each year. The parking counts shall document parking statistics for the Saturday after Christmas, the Saturday of President's Day weekend, the Monday of Martin Luther King Jr. Day weekend, and the 1st Saturday in March. These statistics shall include vehicle counts for each Day Use Parking lot (as defined on Table 10).

(vi) Off-Premise Parking Required by Previous Development Review Approvals

It is recognized that the County has allowed off-premise parking to be provided for adjacent residential uses within the PUD in the Alpine Lot, the Beeler Lot, the Wheeler Lot and in the B Lot Parking Structure. Any future development of these lots shall relocate the number of parking spaces the lot owner was legally required to provide on such lot for use by surrounding projects.

(vii) Parking Lot Design Standards

Prior to: (1) the construction of any new Day Use Parking lots or parking structures to be used as Day Use Parking, or (2) any material modification to existing Day Use Parking lots or structures, such new Day Use Parking lots or structures, or material modifications, shall be reviewed and approved by the Planning Department Staff and/or Ten Mile Planning Commission through the appropriate Development Review process. Such review shall be limited to ensure compliance with the parking lot design standards set forth below in this Subsection 4.1.C (vi), the provisions of this PUD Designation and applicable Development Review criteria of the Code.

(a) Unpaved Day Use Parking Lots

New or materially modified unpaved Day Use Parking lots within the PUD boundary shall be designed according to the design guidelines set forth in this Subsection 4.1.C (vi)(a) and other applicable site plan criteria listed in this PUD Designation and the Code. The design

guidelines set forth in this Section 4.1 supersede and replace all parking lot design guidelines set forth in the Code. Such unpaved parking lots will meet the following design criteria:

- i. Shall be constructed with a minimum four (4) inch road base gravel compacted to at least 95% of the maximum dry density at +/- 2% of the maximum moisture content as determined by the American Association State Highway Traffic Control & Transportation Officials (AASHTO).
- ii. Shall include landscaping, berms, or other means along the perimeter of the lot to mitigate the visual impact to off-site uses (refer to Landscape Design Standards in Section 3.11).
- iii. Shall be designed using the drainage and snow storage requirements identified within this PUD Designation as described in Technical Appendices 30, 31 and 32.
- iv. Shall have safe and adequate pedestrian circulation.
- v. Shall be designed for adequate circulation for emergency vehicles.
- vi. Shall be designed to provide a minimum aisle width of 22 feet.
- vii. Shall be designed to provide a minimum stall size of 9 feet wide by 19 feet deep.
- viii. Landscaping islands are not required.

(b) Structured Day Use Parking Lots

New or materially modified Day Use Parking structures shall be designed according to the design guidelines set forth in this Subsection 4.1.C (vi)(b) and applicable provisions of this PUD Designation. The design guidelines set forth in this Subsection 4.1.C (vi)(b) supersede and replace parking lot design guidelines set forth in the Code regarding similar design issues for parking structures only. Design guidelines set forth in the Code regarding design issues not set forth in this Subsection 4.1.C (vi)(b) shall also apply to Day Use Parking structures. Such structured parking lots will meet the following design criteria:

- i. Shall be designed in compliance with the IBC as adopted or amended by the County to the approval of the Building Inspection Department.
- ii. Covered or heated ramps shall have a maximum grade of 12% so long as the parking area grade does not exceed 6%.
- iii. Uncovered parking area ramps that are not heated shall not exceed 6% grade.
- iv. Covered parking areas shall have a maximum grade of 6%.
- v. Uncovered parking areas shall have a maximum grade of 4%.
- vi. Shall be designed using landscaping buffers around the perimeter of such structures.

(c) Paved Day Use Parking Lots

New or materially modified paved Day Use Parking lots shall be constructed per the standards for paved parking lots as set forth in the Code.

D. Short-Term Parking

The Owner may provide Short-Term Parking within County rights-of-way on Ten Mile Circle, Copper Circle, Beeler Place and on private property as illustrated on Exhibit D and on Table 11 below. Short-Term Parking shall mean parking signed and limited during the Peak Season to a maximum of 1 hour between 8AM and 5PM and to be monitored as necessary by Copper Mountain Resort. Such parking shall not count towards compliance with the Resort's Day Use Parking requirements.

Table 11. Short-Term Parking

LOCATION	PROPOSED Number of Engineered Parking Spaces	SURFACE MATERIAL	IMPLEMENTATION MECHANISM
Beeler Transportation Center ⁽¹⁾	55	Paved	Development of Parcel 22, Creekside North
Beeler Place (Union Creek)	27	Paved	Existing
Ten Mile Circle	32	Paved	Development of Parcel 22, Creekside North or removal of the Shark Lane
Copper Circle	22	Paved	Development of Parcel 12, Copper Commons
Schoolhouse (Union Creek)	15	Paved	Existing
TOTAL	151		

Footnote:

1. The Owner may allocate 87 Short-Term and 39 Day Skier parking spaces in the Beeler Lot upon closure of the existing 52 parking spaces in Copper Circle prior to development of Parcel 12, Copper Commons.

Prior to the commencement of any construction of the Short-Term parking locations listed in Table 11 above, the Owner shall complete the following:

- (i) The Owner shall be responsible for winter maintenance in County rights-of-way in areas that are used for Short-term parking as per the executed Road Maintenance Agreement.
- (ii) The Owner shall submit improvement plans for Ten Mile Circle and Copper Commons illustrating the proposed parking improvements including, but not limited to the number of parking spaces and right-of-way improvements for review and approval by the County prior to constructing the improvements.
- (iii) The improvements shall be installed per the County approved plans, inspected and approved by the County prior to using these areas for Short-Term Parking.
- (iv) Such County approved Short-term Parking must be generally reserved for the proposed use as allowed.

4.2 ACCESS

- A. Primary access to the Property shall be provided via Interstate 70 and State Highway (SH) 91. Internal access shall be provided via a system of paved public and private roads as generally illustrated on Exhibit E attached hereto.
- B. All public and private roadways and access ways shall be constructed to County standards as outlined in the Code unless superseded by the development standards as listed in the PUD. Copper Road shall meet the standards for a Collector Road and all other roads shall be designed and constructed to accommodate the average daily trip counts estimated for the roads to the approval of the County Engineer.
- C. Uncovered driveway ramps that access parking areas shall comply with the following standards:
 - (i) Covered or heated ramps shall have a maximum grade of 12% so long as the parking area grade does not exceed 6%;
 - (ii) Uncovered parking area ramps that are not heated shall not exceed 6% grade;
 - (iii) Covered parking areas shall have a maximum grade of 6% grade; and

- (iv) Uncovered parking areas shall have a maximum grade of 4%.
- D. The Owner, or any other developer within the Property, shall repair damage caused to the roadways by construction activities, per the requirements of Chapters 5, 8 and 12 of the Code prior to the issuance of a certificate of occupancy on the project causing such damage.
- E. One-way roads are permitted within the Property if approved by the County Engineer.
- F. Private driveways to single-family residences and duplexes shall comply with the requirements of the Code unless specific standards included in the PUD Designation supersede the Code requirements.

4.3 ROAD IMPROVEMENTS

If the proposed surface improvements require realignment within the existing right-of-way, then those improvements shall be reviewed at an administrative level (grading permit and improvement plans) by the County. If, due to field conditions, the surface improvements require that the realignment extend beyond the existing right-of-way, then the appropriate Development Review processes (vacation of existing right-of-way and new right-of-way dedication) shall be reviewed by the appropriate County review authority.

Prior to the issuance of any permit and approval of an improvement plan by the County for any road improvements, construction project, Recpath or trail, the Owner shall provide a traffic control plan for review by the County. The traffic control plan shall provide adequate vehicular, bicycle and pedestrian access around the project while construction is occurring per the requirements of Chapter 5 of the Code to the approval of the County.

Table 12. Road Improvement Triggers

Road Improvements	Implementation Mechanism
Ten Mile Circle ROW Improvements	Development of Parcel 22, Creekside North or removal of the mass transit road ("Shark Lane")
Copper Road ROW Improvements-Phase 1 (Beeler Transportation Center to 10 Mile Circle)	Construction of Parcel 13, Beeler Transportation Center or Parcel 22, Creekside North
Copper Road ROW Improvements-Phase 2 (10 Mile Circle to Highway 91)	Development of Parcel 22, Creekside North
Copper Circle ROW Improvements	Development of Parcel 12, Copper Commons
Shuttle ROW Improvements	Development of Parcel 22, Creekside North

A. Ten Mile Circle

The Ten Mile Circle right-of-way ("ROW") shall require modification with the elimination of the mass transit road ("Shark Lane"). When the existing road is reconfigured, the improvements shall provide two lanes of vehicle traffic, charter bus unloading, a secondary skier drop off area at the roundabout and sidewalks. The day skier transit shuttle drop-off location may be relocated from Ten Mile Circle to the proposed Beeler Transportation Center along Copper Road.

Existing ROW widths shall not be reduced but may be realigned with these proposed improvements. Short-Term Parking within the Ten Mile Circle ROW shall be permitted if the road is rebuilt per the conceptual designs located in Technical Appendix 10 and the engineered drawing of the proposed right-of-way shown in Technical Appendix 19.

B. Beeler Place

Short-Term Parking within the Beeler Place ROW shall be permitted. The Beeler Short-term Parking may be converted to Day Use Parking upon demonstration, to the approval of the Planning Department, that the Short-term Parking is no longer necessary at this location for the operation of

the resort. If approved, then the next PUD amendment following this decision to allow for the conversion shall document the conversion of the Short-term Parking Spaces into Day Use Parking Spaces.

C. Copper Road

Copper Road ROW shall require modification with the elimination of the existing mass transit road ("Shark Lane"), the elimination of the center median in locations, construction of the Beeler Transportation Center, and realignment of Copper Road due to development of Parcel 22, Creekside North. The proposed Beeler Transportation Center will require the right-of-way and any related improvements to shift north to accommodate an efficient and safe arrival center.

The improvements shall happen in two phases. The intersection of Copper Road/Ten Mile Circle shall serve as the point of demarcation for phase 1 and phase 2 of the Copper Road improvements. Should the improvements associated with Copper Road phase 1 and 2 be constructed independently of each other, that phase of Copper Road improvements that starts first shall include improvements to the Copper Road/Ten Mile Circle intersection at least 100 feet in all directions.

- (i) Phase 1 - Between the proposed Beeler Transportation Center and Ten Mile Circle: Existing surface improvements located within the ROW widths shall be widened to accommodate up to four lanes of vehicle traffic consisting of up to two travel lanes in each direction with a fourteen (14) foot right travel lane in each direction to accommodate the oversized CoBus vehicles.
- (ii) Phase 2 - Between Ten Mile Circle ROW and Highway 91: Existing ROW widths will be narrowed from 114' to 80' as the Copper Community Trail will be relocated adjacent to West Ten Mile Creek.

Refer to Section 4.1 for the parking protocol on Copper Road. The proposed road cross-section for Copper Road is illustrated on Technical Appendix 22.

D. Copper Circle

Copper Circle shall be reconfigured with the proposed development of Parcel 12, Copper Commons. The existing road shall be reconfigured for two travel lanes of vehicle traffic, bus drop off lanes, the Copper Community Trail and walkways for pedestrians. Existing County ROW and easements in this area have been vacated and Short-Term Parking within the remaining Copper Circle ROW shall be permitted.

For more detailed material on the above stated improvements, refer to Technical Appendix 10 for a conceptual illustration, Technical Appendix 22 for the proposed cross section and Technical Appendix 19 for an engineered drawing of the proposed right-of-way.

E. Mass Transit Road Right-of-way ("Shark Lane")

If an alternative transportation system is provided such that the Owner can demonstrate to the Board of County Commissioners that the need for a segregated right-of-way is eliminated, then this right-of-way may be abandoned.

4.4 ROAD MAINTENANCE

Maintenance of, and snow removal on, roads within certain County ROW's shall be addressed by a Road Maintenance Services Agreement with the County. The Owner shall maintain Ten Mile Circle, Copper Circle and Beeler Place as defined in the Road Maintenance Agreement in exchange for the ability to use portions of Ten Mile Circle, Copper Circle and Beeler Place rights-of-way for Short-Term Parking provided that the Owner enters into a separate Road Maintenance Service Agreement between the

County and the Owner (substantially in the form as ascribed in Appendix 21) prior to recordation of the PUD Designation.

4.5 TRANSIT

The Owner shall ensure that an adequate public transportation system (mass transit) is provided connecting the parking facilities in the Property and any parking constructed by the Owner on USFS lands to the North Ten Mile, East Village and Village Center Neighborhood, and Union Creek Base Areas as designated on Exhibit E attached hereto. The transportation system shall operate during the ski season. The transportation system shall also operate during special events and other times deemed necessary by the Owner.

A. Shark Shuttles and CoBus Vehicles

Shark Shuttles and CoBus vehicles (the "Shuttle Vehicles") shall be permitted to operate on all sections of roads and streets which are within the Property and under the jurisdiction of the County per the approved Ordinance 11C and any subsequent updates, A Temporary Experimental Traffic Regulation. The applicable roadways shall include the following: Beeler Place, Copper Circle, Copper Road, Ten Mile Circle, Wheeler Circle, and Wheeler Place. Transit facilities such as bus load and unload areas (i.e. design, location, separation from intersections, etc.) shall comply with American Association State Highway and Transportation Officials (AASHTO) standards.

Any and all modifications within the public ROW must be approved by Summit County. Anyone proposing to make any modifications to the public ROW must obtain necessary permits from the County before construction may commence.

B. Quarterly Meetings with the County, Colorado Department of Transportation ("CDOT") and Colorado Department of Public Safety ("CDPS")

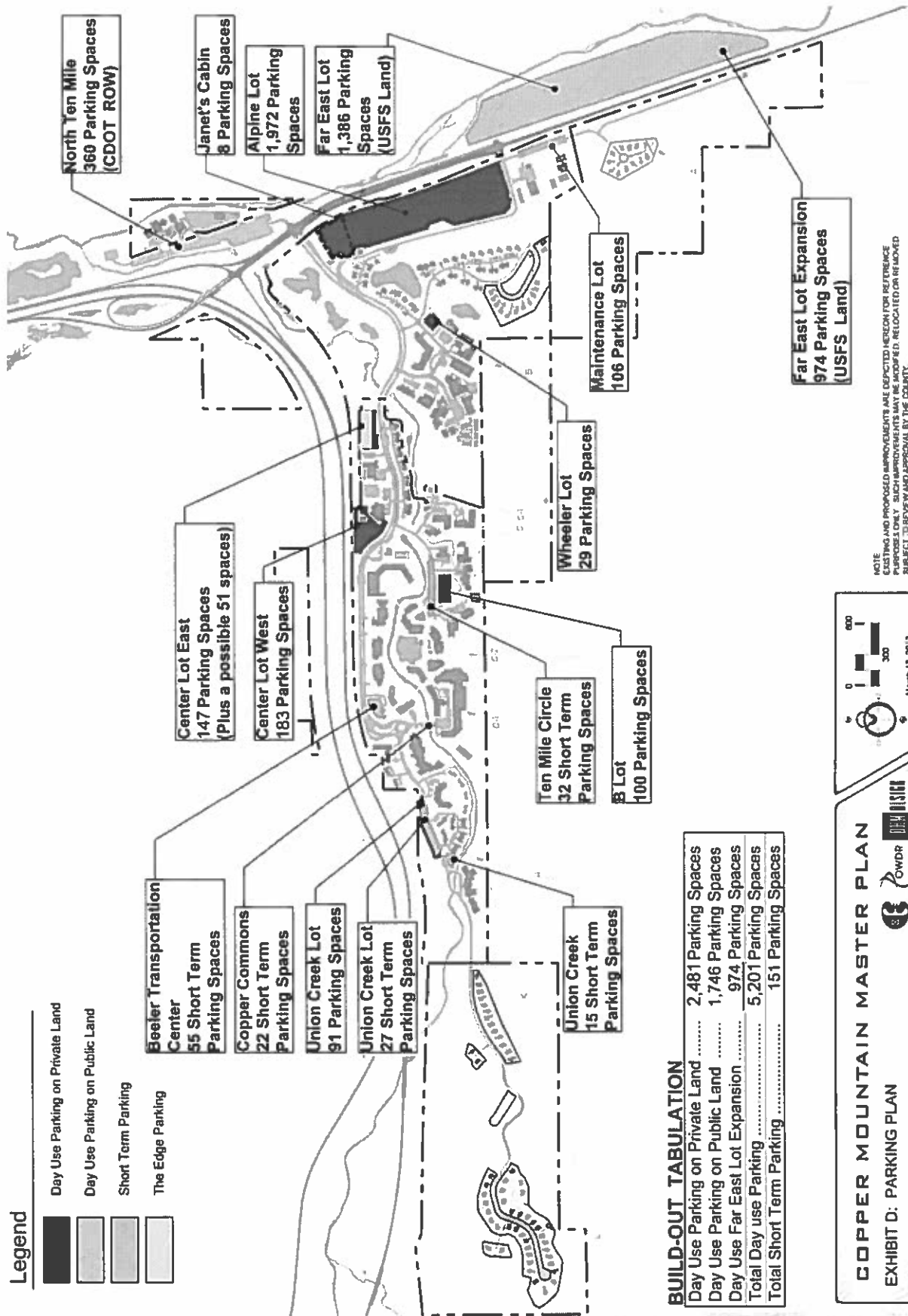
The Owner shall attend the quarterly meetings between the County, CDOT and CDPS to review and discuss any changes in operation of the Resort prior to when such changes in operations or development occur (such as transit plans or traffic management plans to access the parking on private and/or public land) that may negatively affect the SH91 corridor.

COPPER MOUNTAIN PUD UPDATE

(06.26.2018) | Exhibit D

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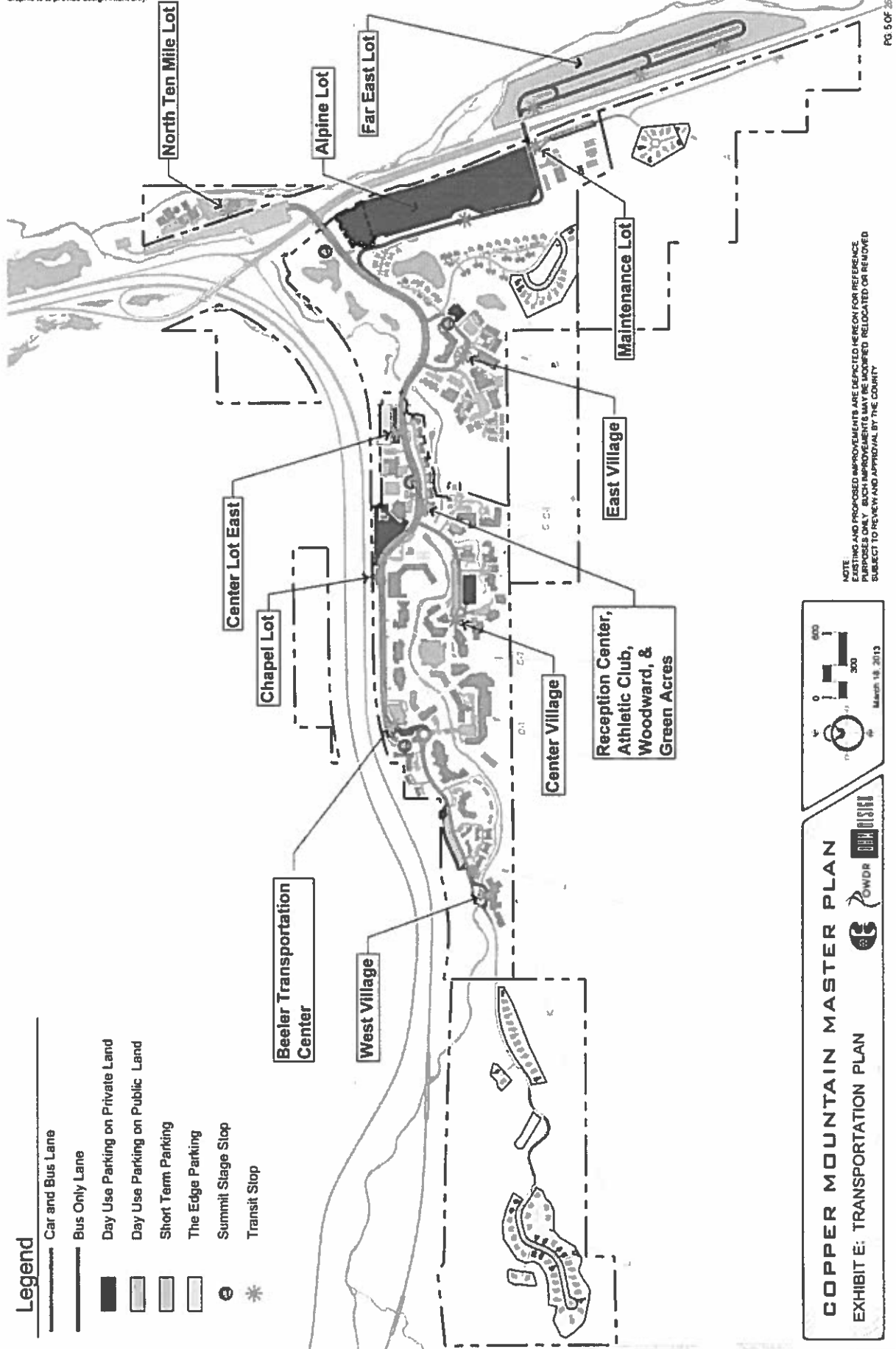


COPPER MOUNTAIN PUD UPDATE (06.26.2018) | Exhibit E

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COPPER MOUNTAIN MASTER PLAN
EXHIBIT E: TRANSPORTATION PLAN





5.0 Open Space, Trails, & Recreation

5.0 OPEN SPACE

Open space within the Property consists of both Public Open Space and Private Open Space. Both Public Open Space and Private Open Space areas within the PUD are meant to provide buffers between the Neighborhoods within the PUD as well as provide air, space and light for the Resort's residents and visitors. Public open space within the PUD is primarily focused on creating protected areas for habitat and wildlife as well as passive recreational uses such as walking, biking and hiking, while private open space within the PUD is primarily focused on active recreation (such as the golf course and providing access to the ski hill).

A. Public Open Space

The Owner has dedicated or shall dedicate the specific Public Open Space areas depicted on Exhibit F and described in Table 13 below. Table 13 also describes the implementation mechanisms of the various Public Open Space dedications. At the point the open space is dedicated to the County, the open space character of these Public Open Space areas shall be protected by restrictive land use designations (zoning) and conservation easements, recording of a plat with a restrictive note, or Easement, or other methods acceptable to the County.

These dedications shall be by public access easements acceptable to and granted to the County or transferred via a fee interest transfer to ensure (i) protection of the Open Space character; and (ii) public access, subject to the provisions of this PUD Designation. Vehicles may be allowed to operate in Public Open Space for the purpose of maintenance and transporting guests as specified in Table 1 of this PUD Designation. The Owner shall be given credit toward Summit County Public Use Area Fees for these public land dedications.

B. Private Open Space

Private Open Space areas within the Property have been identified as important for the Open Space character they provide and as an amenity for the use and enjoyment of Resort guests, the location of such areas are depicted on Exhibit F and described in Table 13 below. Table 13 also describes the implementation mechanisms of the various parcels designated as Private Open Space. The Open Space character of these Private Open Space areas shall be protected by restrictive land use designations (zoning), conservation easements, recording of plats with a restrictive note or other methods acceptable to the Owner and the County. Vehicles shall be allowed to operate in Private Open Space for the purpose of maintenance and transporting guests as specified in Table 1 of this PUD Designation. The Owner may post limitations and regulations and has the right to exercise remedies for trespass. The Owner has no obligation to enforce these rights for the benefit of the County or the public.

C. Improvements on Public or Private Open Space

Improvements are not permitted in any Public or Private Open Space areas unless an improvement is provided for in Table 1. Exceptions that would allow for improvements in Public or Private Open Space are as follows: Lift facilities shall be allowed in Private Open Space.

With the exception of the golf course modifications as outlined below, the Owner shall consult with, notify and provide detailed plans and information to the County of any proposed change or improvement on designated Open Space for review prior to the installation of such improvements. Notwithstanding such exemptions, the standards and criteria as listed in the Code shall be used to

determine the development review process by which a proposed modification to the golf course shall be reviewed by the County (grading permit, building permit, site plan review, PUD amendment, etc.).

In the process of managing a golf course and related operations, changes may be required to the golf course that would not trigger a development review by the County. It is the intent of the PUD to allow the Owner of the golf course to make such changes as necessary, within the parameters of the PUD to, among other things, protect the health and safety of the public, respond to natural occurrences, maintain or improve the playability of the golf course, etc.

It is not the intent of the PUD to dictate golf course management decisions that are not related to land use, open space and/or development.

Therefore, the owner of the golf course facility shall be allowed to make modifications to the golf course based on management decisions for the overall safety and playability of the facility without the requirement for review and approval of such modifications by the County. However, all such modifications must be consistent with the requirements of the PUD and the proposed modifications that trigger a development review process as set forth in the Code must be appropriately reviewed and/or permitted by the County pursuant to the Code requirements.

Table 13. Open Space Tabulation

Area*	Open Space	Public OS Acres	Private OS Acres	Maintained By	Implementation Mechanism
OS-A&B	Lewis Ranch		78.69	Owner/ Village at Copper	Currently Subdivided, Reception #685418
OS-C	West Ten Mile Creek Corridor (between I-70 ROW and the east property boundary of West Neighborhood)	6.0		Owner/ Village at Copper	Currently Dedicated, Reception #685418
OS-D	North of OS-E and Beeler Place		6.07	Owner/ Village at Copper	Currently Subdivided and restricted by Table 1
OS-E	West Ten Mile Creek Corridor (between west boundary of Village Center Neighborhood and Copper Circle ROW)	6.95		Owner/ Village at Copper	Currently Dedicated, Reception #631759
OS-F	North of Copper Road between Beeler Place and Ten Mile Circle, the I-70 hillside		1.58	Owner/ Village at Copper	Recording of Subdivision Plat and subdivision of realigned Copper Road ROW at Beeler Transportation Center
OS-G	West Ten Mile Creek (from Copper Circle to Ten Mile Circle/Copper Road intersection)	5.95		Owner/ Village at Copper	Currently Dedicated, Reception #140469 and #133369

Area*	Open Space	Public OS Acres	Private OS Acres	Maintained By	Implementation Mechanism
OS-H	West Lake	1.27		Owner/ Village at Copper	Currently Dedicated, Reception #593087
OS-I	South of the Village core adjacent to Burning Stones Plaza from Spruce Lodge west of OS-E		4.38	Owner/ Village at Copper	Currently Subdivided and restricted by Table 1
OS-J	Parking Structure Park	0.50		Owner/ Village at Copper	Currently Dedicated, Reception #126446
OS-K	Chapel Park		0.51	Owner/ Village at Copper	Recording of Subdivision Plat and subdivision of Parcel 18, Village Center Neighborhood (Chapel Lot)
OS-L	Togwotee Park	0.63		Owner/ Village at Copper	Recording of Subdivision Plat and subdivision of Parcel 22, Village Center Neighborhood (Creekside North)
OS-M	Timber Creek Park	1.53		Owner/ Village at Copper	Currently Dedicated, Reception #126446
OS-N	Golf Course (north of Copper Road)		21.73	Owner	Currently Subdivided and restricted by Table 1
OS-O	West Ten Mile Creek (from Togwotee Park Copper Road)	3.03		Owner/ Village at Copper	Recording of Subdivision Plat and subdivision of Parcel 22, Village Center Neighborhood (Creekside North)
OS-P, U, V, W, X	Golf Course (south of Copper Road)		124.48	Owner	Recording of Subdivision Plat and subdivision of Parcel 32, A-Lift Neighborhood (A-Lift) and Parcel 22 Village Center Neighborhood (Creekside North)
OS-Q	Copper Community Trail at Summit House East	0.07		Owner/ Village at Copper	Recording of Subdivision Plat and subdivision of realigned Copper Road ROW at Creekside North
OS-R	Farley Park	0.15		Owner/ Village at Copper	Currently Dedicated, Reception #683373

Area*	Open Space	Public OS Acres	Private OS Acres	Maintained By	Implementation Mechanism
OS-S	Copper Community Trail and berm north of Alpine Lot	0.55		Owner/Village at Copper	Currently Dedicated, Reception #1008086
OS-T	Copper Community Trail and berm north of Alpine Lot	0.06		Owner/Village at Copper	Currently Dedicated, Reception #1008085
OS-Y	Northeast corner of Ten Mile Neighborhood	0.69		Owner/Village at Copper	Currently Dedicated, Reception #806845
OS-Z	Ten Mile Creek Corridor	3.95		Owner/Village at Copper	Currently Platted, Reception #126446. Public access easement within 90 days of the Effective Date
OS-AA	North Parcel (west)	12.30		County	Deeded to the County, Reception #928818
OS-BB	North Parcel (east) (including 10' Gore Range Trail easements)	14.0		County	Deeded to the County, Reception #928818
TOTAL		57.63	237.44		

*These areas are shown generally on Exhibit F attached hereto.

D. Maintenance of Private and Public Open Space

Maintenance responsibilities are as defined in Table 13 above. The responsible party shall be responsible for any and all maintenance, signage, landscaping, site and/or pedestrian amenities, capital improvements and other matters relating to public and private open spaces as defined above.

Resort Operations vehicles shall be allowed to operate in Open Space for the purpose of performing infrastructure maintenance within the Open Space area.

5.2 TRAILS

A. Trails Plan

The Owner shall be responsible for the construction of the trails indicated on the trails plan attached hereto as Exhibit G, and Table 14 in accordance with the design standards set forth in the Code, on the condition that Owner is able to obtain all appropriate approvals with respect thereto, including without limitation, the consent without fee of the owner of the property upon which any such pathway is to be located. The Trails Plan shows general trail and Recpath locations through Neighborhoods rather than exact alignments. Exhibit G, the Trails Plan identifies general locations for the Ten Mile Canyon Recpath, the Copper Recpath, and the Vail Pass Recpath which are maintained by the County, as well as various trails throughout the Resort that shall be maintained by the Owner or their designee (Copper Community Trails). The Owner shall submit for review and approval by the County the exact alignment of the Copper Recpath and other trails within public open space and/or public rights-of-way prior to the construction of these trails.

The Owner shall make any capital improvements associated with the initial milling, striping and signing of the Copper Recpath as may be contemplated by the PUD Designation or any subsequent development plans.

The Copper Recpath will be located within the Copper Road and Beeler Place ROW in the interim development which has been completed as of July 1, 2014 and will be maintained by the County thereafter. Alternative Vail to Frisco Bike Trail alignments may be determined as part of the reconstruction of Copper Road that is required for development of Parcel 22 (Creekside North) and Parcel 13 (Beeler Transit Center) developments.

The Copper Recpath will be milled, striped and signed to include the north and south side of Copper Road westbound and eastbound to Highway 91. These improvements will be completed by October 31, 2019 pending County approval. The community trail connection from the Copper Point townhomes to HWY 91 is proposed to remain in place and act as a community trail for all users.

B. Colorado Trail

The Colorado Trail Connection shall be open to the public at all times except during ski seasons. Portions of the Colorado Trail Connection located adjacent to the American Eagle or the American Flyer lifts within the Property may be closed during special events for reasonable periods of time, on the condition that the Owner shall provide a signed alternative route during these times and that such closures by the Owner only occur on private, non-Federal land.

A portion of the Colorado Trail identified as Trail T7a on the Trails Plan will be realigned if necessary due to development of the golf course modifications. The proposal for realignment shall be reviewed and approved by the County, and will be dedicated (via an easement) within 12 months of the trail reconstruction.

C. Re-Alignment of Trails

The trails and Recpaths indicated on the Trails Plan (Exhibit G) and the Nordic trail in the West Village Neighborhood (Exhibit H) can be realigned, with the approval of the County Commissioners or the Planning Commission, during a Development Review if one of the following criteria is met:

- (i) The relocation is to avoid trail-user conflicts with adjacent land uses, steep slopes, wetland setback requirements, wildlife movement/migration corridors and other key wildlife habitats, or any other environmental constraint as identified by the Subbasin Plan or the Code.
- (ii) The original function of the trails system will be preserved through the site, while allowing for existing or proposed trails to be relocated, but not eliminated, based upon the overall development review criteria, the proposed development plan and the trail's character through the site.
- (iii) The Nordic trail in the West Village Neighborhood shown on Exhibit H may only be modified from its current location to accommodate new development if such trail system stays substantially the same as current exists.
- (iv) The Owner voluntarily partnered with the County Open Space and Trails Department to fund fifty percent (50%) of the construction costs of trail T5 to a maximum amount of \$250,000. This was completed in 2015.

D. Trail Design Standards

- (i) Overall Trail Design Standards
 - (a) Trails shall minimize the number of driveway and road crossings.

- (b) Trails shall be separated from roadways and buildings where practicable. The interim Copper Recpath is proposed as milled, striped and signed bike lanes, one in each direction, within the existing pavement section of Copper Road and Beeler Place. A final alignment and design including a potential grade separated option shall be proposed as part of the design and approval of the realignment of Copper Road triggered by the development of Parcel 22 (Creekside North) or Parcel 13 (Beeler Transit Center).
 - (c) Trails shall be located in areas that will minimize user conflicts to the maximum extent practical.
 - (d) Alternate pedestrian and Recpath routes shall be provided when existing trails are impacted by construction.
 - (e) Trails shall be designed in a manner that takes advantage of natural, existing vegetation to buffer the trails from development and mitigate any safety hazards. Where this design is not feasible, the applicant shall incorporate trail buffering into their landscaping plan to the maximum extent practicable.
 - (f) The Owner will not be responsible for acquiring trail easements on or across property owned by other parties.
 - (g) Where required, the Owner shall be responsible for trail construction identified on Exhibit G and Table 14, and shall be responsible for clearing and grading, surfacing, signage, drainage improvements and erosion control (as defined by the Code). All of these improvements may not be applicable to all trail sections.
 - (h) Any proposed realignment of the Copper Recpath shall comply with the "Trail Development Guidelines" of the Summit County Countywide Comprehensive Plan, Ten Mile Master Plan, the Copper Mountain Subbasin Plan to the extent practicable and be approved by the County.
 - (i) The new Copper Recpath within the County Right-of-Way shall be designed and constructed in accordance with County standards. The County shall not assume maintenance responsibilities for the Copper Recpath until it is inspected and accepted by the County as having been constructed to County Standards unless a variance from such standards has been granted for good cause.
 - (j) Trails that are identified in Exhibit G shall be in compliance with the current Subbasin Plan and the Code, open to the public and connect to USFS trails or trailheads, where feasible.
 - (k) If the Owner is not able to obtain all such appropriate approvals, including consent from Affected Property owners, then the Owner shall submit a realignment of such trail(s) to the County, for review and approval, placing the trail in such a location where all such appropriate approvals contemplated above may be obtained or are not required.
 - (l) To provide clear signage for directional and safety purposes, the Owner has developed uniform Copper Recpath striping and signage plans for Copper Road and Beeler Place in conjunction with the Open Space & Trails Department. The sign plan for the Copper Recpath shall conform to the requirements of the Manual on Uniform Traffic Control Devices (MUTCD) standards. The County will maintain MUTCD signs and the Owner shall maintain all other signs proposed in the sign program. For all signs other than the MUTCD signs, the County will notify the Owner when the signs are in need of repair. The Owner shall have ten (10) working days to repair or replace the damaged signs.
- (ii) West Village Neighborhood Trail Criteria
- (a) Trails are limited to those within Open Space Parcel OS-A as shown on Exhibit F.
 - (b) The Owner is permitted to retain the existing Nordic trail system for winter use only; summer trail use in Open Space Parcel OS-A is prohibited due to wildlife concerns.

Table 14. Recpaths and Trails

Trail	DESCRIPTION			Implementation Mechanism
	Trail Improvement or Dedication	Maintained By	Surface	
T1	Vail Pass Recpath (PUD Boundary to Beeler Place)	County	Hard	Currently Dedicated: Reception #1008088
T2	Copper Recpath interim alignment in Copper Road and Beeler Place ROWs ⁽¹⁾⁽²⁾	County	Hard	Owner installed striping and signage by July 1, 2014, and will complete milling by October 2019
T3	Copper Recpath/Copper Community Trail (Alpine Lot to SH 91)	Owner/Village at Copper	Hard	Currently Dedicated: Reception #1008087
T4	Ten Mile Canyon Recpath SH 91 crossing (SH 91 to Ten Mile Canyon Recpath)	County	Hard	Existing: CDOT ROW
T5	Proposed Re-aligned Ten Mile Canyon Recpath (North Ten Mile)	County	Hard	Currently Dedicated: Reception 1047912 and #1008086
T6	Gore Range Trail	USFS	Soft	Existing
T7	Colorado Trail	USFS & Owner	Soft	Currently Dedicated: Reception #1008084
T7a	Colorado Trail	USFS & Owner	Soft	Currently Dedicated: Reception #1008084
T8	Copper Community Trail (Beeler Place to Copper Circle)	Owner/Village at Copper	Hard	Currently Dedicated: Reception #140469 (Filing 3)
T9	Copper Community Trail (Copper Circle to Ten Mile Circle)	Owner/Village at Copper	Hard	Currently Dedicated: Reception #140469 (Filing 3)
T10	Copper Community Trail (Ten Mile Circle to Copper Road) Interim and Final Plans	Owner/Village at Copper	Hard	Interim Plan (T10a): Prior to recording of Final Plat of Parcel 18 (Chapel Lot) or public use of Center Lot West Final Plan: Recording of Final Plat of Parcel 22 (Creekside North) ⁽³⁾⁽⁴⁾
T11	Copper Community Trail (Ten Mile Circle to Wheeler Place): Interim and Final Plans	Owner/Village at Copper	Hard	Currently Dedicated
T12	Copper Community Trail (Copper Road/Wheeler Place to Alpine Lot): Interim and Final Plans	Owner/Village at Copper	Hard	Interim Plan: Within 18 months of the Effective Date - Final Plan improvements to occur at the time of recording of Final Plat and subdivision of Parcel 22, Village Center Neighborhood (Creekside North) ⁽³⁾

Trail	DESCRIPTION			Implementation Mechanism
	Trail Improvement or Dedication	Maintained By	Surface	
T13	Center Village trail between Copper Recpath, Copper Community Trail and Colorado Trail	Owner/Village at Copper	Soft	Existing
T14	Parking Structure Trail from Ten Mile Circle to T15	Owner/Village at Copper	Hard	Existing. Reception #126446 (Filing 1)
T15	Guller Road Trail from T14 to Ten Mile Circle	Owner/Village at Copper	Hard	Recording of final plat of Parcel 24 (Sky Chutes)
T16	Timber Creek Park connector trail between Copper Community Trail and Colorado Trail	Owner/Village Company	Soft	Recording of final plat of Parcel 24, Village Center Neighborhood (Sky Chutes)
T17	Winter Only Access Trail from East Village to Center Village	Owner	Soft/ Packed Snow	Completed.
T18	Center Lot East to Copper Station	Owner/Village at Copper	Hard	Construction of improvements and easement to be dedicated at Owner's discretion
T19	Trail connector between Woodward at Copper and Ten Mile Circle	Owner/Village at Copper	Hard	Recording of final plat of Parcel 18, Village Center Neighborhood (Chapel Lot)
T20	Mountain Trails System	Owner	Soft	Existing

Footnotes:

1. All newly constructed Recpaths dedicated to the public, will be designed and constructed to meet County standards by the Owner prior to dedication.
2. The Owner shall work with the County Open Space & Trails Department to inspect the Copper Recpath and identify sections that are not in compliance with the Code.
3. During the interim period prior to the construction of Development Parcel 22, (Creekside North) the Shark lane will be signed to be utilized as the temporary interim Copper Community Trail for T10b, T11 and T12. Refer to Technical Appendix 27.
4. Prior to the Final Plat of Parcel 18(Chapel Lot) or public use of Center Lot West, the interim T10a trail along the north side of Ten Mile Circle from Center Lot West to the village center shall be installed. Refer to Technical Appendix 27. The final alignment of trail T10 shall be installed upon removal of the Shark Lane which is implemented with development of Parcel 22 (Creekside North).

E. Trail Improvements and Dedications

The Owner shall, in accordance with the schedule set forth in Table 14, improve the existing public trails and construct any new public trails per the County standards prior to dedicating the associated public access easements to the County for the trails described on Exhibit G attached hereto.

F. Trail Maintenance

(i) Copper Recpath

- (a) The County shall be responsible for maintaining the Copper Recpath, including sweeping (consistent with levels of service provided throughout the County), pavement repair, signage as required by the Manual for Uniform Traffic Control Devices (the "MUTCD"). The County will assume maintenance for the entire Copper Recpath once all sections are complete and constructed to a standard acceptable to the County.
 - (b) The Owner may provide additional aesthetic treatment to enhance the visual appeal of the signs required by the MUTCD and maintained by the County, provided that any additional aesthetic treatment is approved by the County and maintained by the Owner;
 - (c) The Owner may provide sweeping and other maintenance over and above sweeping typically provided by the County subject to County approval.
 - (d) The Owner may provide any landscaping, lighting and site amenities within the right-of-way or easements associated with the Copper Recpath if approved by the County pursuant to the provisions set forth in this PUD Designation on the condition that the Owner or its designee assumes the responsibility for maintenance of such improvements.
- (ii) Other Trails, Sidewalks and Access
- (a) The Owner/Village at Copper shall be responsible for any and all maintenance, signage, landscaping, site amenities, winter plowing (at the Owner/Village at Copper's sole discretion), capital improvements and other matters relating to all trails and recreational paths at the Property other than the Copper Recpath.
 - (b) The Owner/Village at Copper shall be responsible for all maintenance, signage, landscaping, winter plowing, capital improvements and other matters relating to any sidewalks located on property owned by the Owner/Village at Copper or its affiliates that lead from the pre-approved portions of the new road system to other portions of the Property.
 - (c) In order to facilitate accessibility standards of the Americans with Disabilities Act throughout the Property, the Owner/Village at Copper shall be responsible for ensuring the maintenance and removal of snow from all sidewalks and paths located on property owned by the Owner that lead from parking and drop-off points to the entry of buildings owned by the Owner or its affiliates.

5.3 RECREATION PLAN

The Recreation Plan, which is shown on Exhibit I, identifies general areas of the Property that will be used for Active and/or Passive Recreation. The types of recreation facilities in these areas may change from time-to-time to satisfy the changing community needs. The recreational land uses as shown on these general areas may change if the change is appropriately mitigated to the satisfaction of the County. Existing or future recreation facilities that are built shall not be eliminated unless such facilities are replaced with other similar facilities (active replaced by active; passive replaced by passive) as determined by the County.

- (i) The Woodward Barn, an indoor training facility, was approved as an indoor recreational facility and replaced the indoor tennis courts previously located on Development Parcel 21, Village Center Neighborhood (Woodward).
- (ii) The Owner will provide on-going access to local residents and locals' discounts for scheduled drop-in sessions as offered by Woodward at Copper for as long as the facility operates. The BOCC reviewed and approved the operational plan on December 1, 2008, that established a baseline for future reference of the initial public benefit of the facility. The plan is attached for reference as Technical Appendix 60.
- (iii) The Owner will provide a fenced, outdoor tennis court within OS-K (Chapel Park) or another approved location prior to certificate of occupancy of Parcel 18, Chapel Lot.

- (iv) The Owner may install an event plaza/pocket park within OS-W in close proximity to the Super Bee lift per the requirements of the Code.
- (v) New recreational amenities allowed on permitted USFS lands may extend across the PUD boundary and into PUD Development Parcels and/or Open Space parcels as allowed per Table 1.

5.4 PUBLIC USE AREAS

The Open Space dedications, trail dedications and trail improvements as specified in this PUD Designation satisfy the Public Use Area Requirements of the Code

COPPER MOUNTAIN PUD UPDATE

(06.26.2018) | Exhibit F

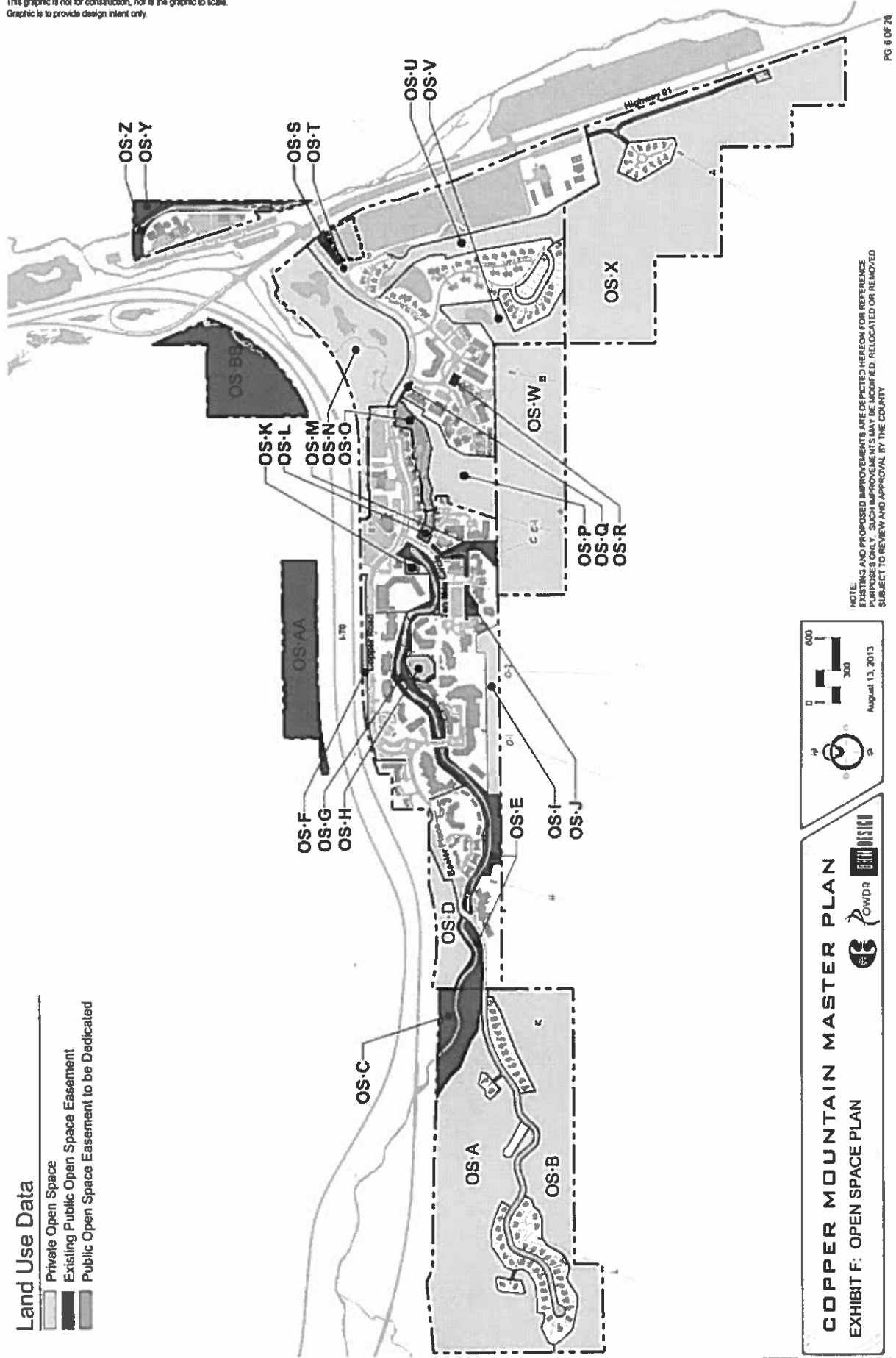
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PG 6 OF 24

Land Use Data

- Private Open Space
- Existing Public Open Space Easement
- Public Open Space Easement to be Dedicated

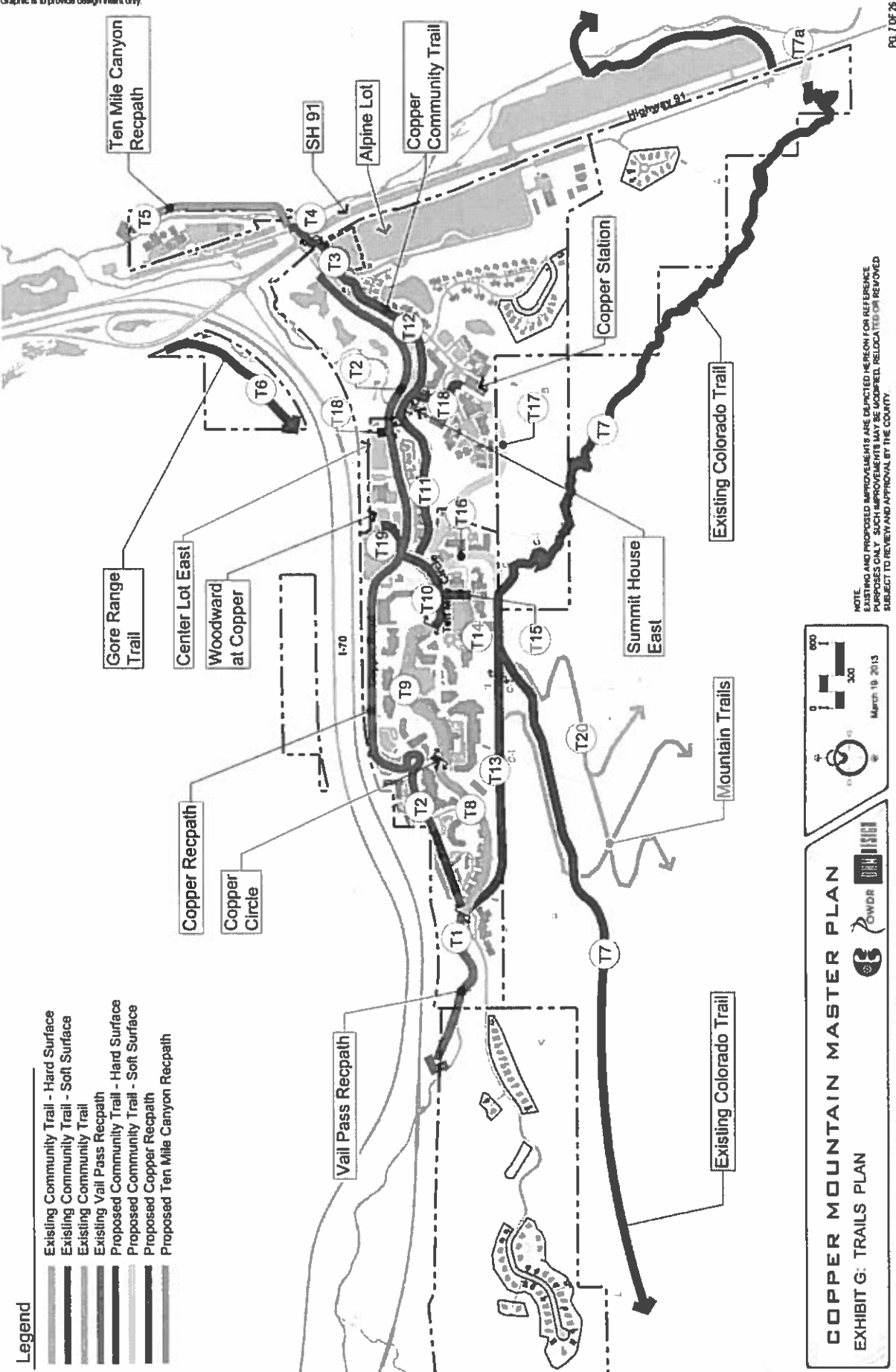


NOTE:
EXISTING AND PROPOSED IMPROVEMENTS ARE DEPICTED HEREON FOR REFERENCE PURPOSES ONLY. SUCH IMPROVEMENTS MAY BE MODIFIED, RELOCATED OR REMOVED SUBJECT TO REVIEW AND APPROVAL BY THE COUNTY

COPPER MOUNTAIN PUD UPDATE
(06.26.2018) | Exhibit G

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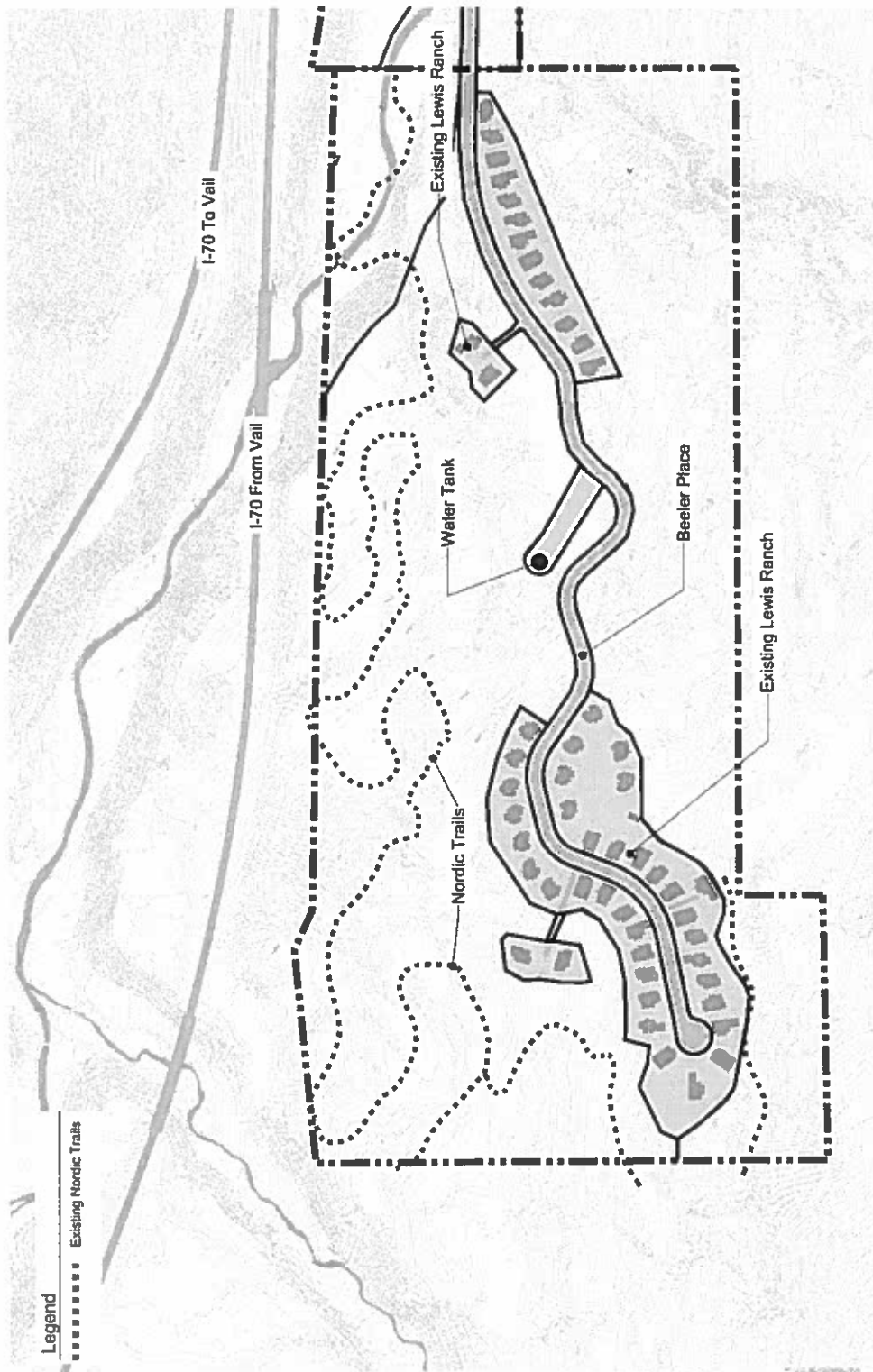
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NOTE:
EXISTING AND PROPOSED IMPROVEMENTS ARE DEPICTED HEREON FOR REFERENCE
PURPOSES ONLY. SUCH IMPROVEMENTS MAY BE MODIFIED, RELOCATED OR REMOVED
SUBJECT TO REVIEW AND APPROVAL BY THE COUNTY.

COPPER MOUNTAIN MASTER PLAN
EXHIBIT G: TRAILS PLAN

NORRIS DESIGN
POWDR



Legend
 Existing Nordic Trails

COPPER MOUNTAIN MASTER PLAN
EXHIBIT H: WEST VILLAGE NEIGHBORHOOD
& EXISTING NORDIC TRAILS PLAN

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 January 18, 2013

NOTE: ALL PROPOSED IMPROVEMENTS ARE SUBJECT TO REVIEW AND APPROVAL BY THE COUNTY. SUCH IMPROVEMENTS MAY BE MODIFIED, RELOCATED OR REMOVED SUBJECT TO REVIEW AND APPROVAL BY THE COUNTY.

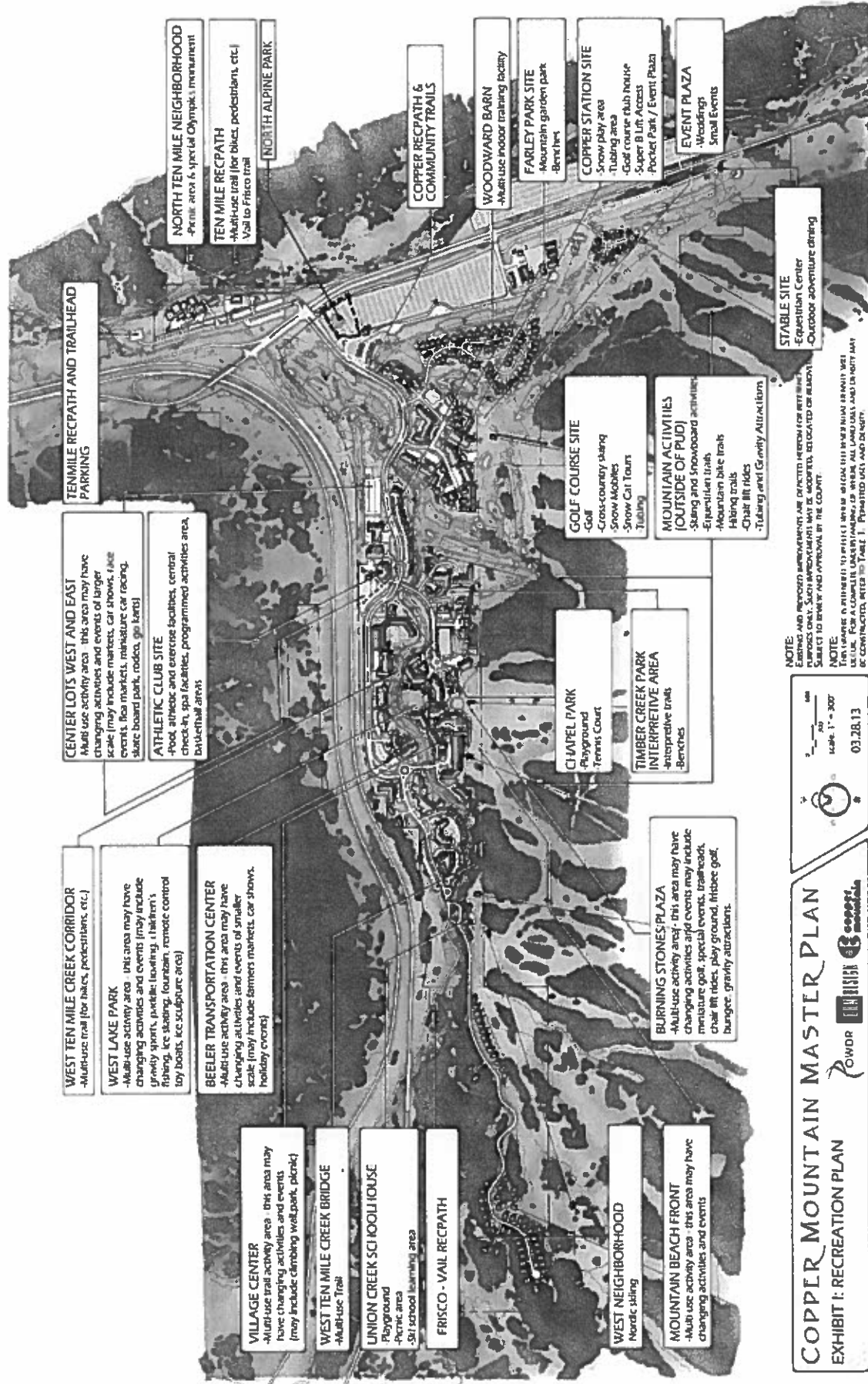
COPPER MOUNTAIN PUD UPDATE

(06.26.2018) | Exhibit I

This graphic is not for construction, nor is the graphic to scale.
Graphic is to provide design intent only.

NORRIS DESIGN
Planning | Architecture | Interiors | Landscaping

PG 8 OF 26



NOTE:

EXISTING AND PROPOSED IMPROVEMENTS ARE DETAIL TO BE DETERMINED FOR EACH PROJECT. SUCH IMPROVEMENTS MAY BE MODIFIED, RELOCATED OR REMOVED. SUBJECT TO REVIEW AND APPROVAL BY THE COUNTY.

NOTE:

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03.28.13



COPPER MOUNTAIN
POWDER
RECREATION PLAN

COPPER MOUNTAIN
POWDER
RECREATION PLAN
EXHIBIT I: RECREATION PLAN



6.0 Utilities & Infrastructure

6.1 DRAINAGE

A master drainage plan for the Property has been prepared by the Owner and is included in the PUD application submittal materials as Technical Appendix 31, Master Drainage Plan. All development review applications shall comply with this master drainage plan. If modifications to the master drainage plan are necessary based on site-specific development proposals, then the modifications shall be reviewed and approved by the County as a part of the site-specific Development Review applications.

6.2 SNOW STORAGE

- A. On-site snow storage shall be reviewed for compliance with the PUD and Code requirements as a part of the Development Review Application (i.e. Site Plan Modifications, Development Review, etc.). Within each project for which a Development Review application is submitted, snow storage areas shall be provided adjacent to paved areas and other areas to be plowed, except as otherwise permitted in accordance with the other provisions of this Section 6.2. The size of these snow storage areas shall be equivalent to at least 25% of paved or graveled surfaces on the site plan and shall be located adjacent to paved or graveled areas to provide convenient access for snowplows. Uphill slopes of 5-10% shall count at 75% of their areas towards this requirement. Uphill slopes of 11-20% shall count at 50% of their area. Steep uphill slopes greater than 20% are not appropriate for snow stacking, and shall not be counted in determining compliance with snow storage requirements. The area of snow stored on downhill slopes shall be evaluated in the Development Review process.
- B. Where on-site snow-melting systems or heated paving systems are installed, the area served by the system may be deducted from the paved area estimate (for the purpose of determining snow storage requirements). Homeowner association documents or other agreements or instruments must identify the party responsible for operation and maintenance of snow-melt systems. If operation of the snow-melt system or heated pavement system is terminated the association (or other party responsible for the operation and maintenance thereof) must provide alternate snow removal plans subject to approval of the County.
- C. It is recognized that the more intense urban village areas in the Village Center and East Village Neighborhoods may not be able to accommodate on-site snow storage in certain areas. In these cases, snow may be: (i) transported to snow storage areas described generally on Exhibit J attached hereto, (ii) transported to an approved snow melting facility, or (iii) removed through snow-melt systems integrated into the project site development.
- D. Snow storage areas or snow melting facilities illustrated on Exhibit J shall be subject to review and approval through an Administrative Review by staff unless included as part of an associated Development Review application. Off-site snow storage areas or off-site snow melting facilities shall be subject to review under the requirements of the Code by the appropriate review authority. In addition to the snow storage requirements and criteria listed in the Code, other site suitability issues, including compatibility with adjacent land uses, location and visual impacts, shall be considered. Construction of snow melting facilities shall comply with the commercial and industrial design standards of the Code.
- E. Snow storage is not allowed within wetlands. Where practicable, snow shall not be stored within 25 feet of wetlands. Where snow storage areas are adjacent to wetlands, adequate measures shall be

taken to protect wetlands from salt and sand intrusion, including without limitation, via placement of hay bales or filter fabric and similar measures.

- F. Design of snow storage treatment facilities or off-site snow storage facilities shall be in accordance with the following:
- (i) Maintain existing peak flow rates for storms up to and including the 25-year, 24-hour rainfall event, in combination with a melt rate from the snow stockpile of 2 inches in 24 hours.
 - (ii) Sites with favorable infiltration rates are encouraged.
 - (iii) Minimize run-off by diverting drainage around snow storage piles if practicable.
 - (iv) Appropriate measures shall be taken to protect receiving channels from snow storage treatment facility discharges.
 - (v) Good site access for trash removal and periodic maintenance shall be provided to the approval of the County.

6.3 TELECOMMUNICATION FACILITIES

- A. All telecommunications facilities within the Property, including but not limited to antennas, microwave dishes, and microwave panels shall comply with the provisions of this PUD Designation and the Code. The Planning Department can administratively review and approve microwave panels, cell towers, dishes or other such equipment if such equipment meets the following regulations:
- (i) The telecommunications equipment must be mounted on a roof or the side of a building, with the height not to exceed the building's height by more than 10%, or co-located on an existing telecommunications facility.
 - (ii) The roof or wall mounted telecommunications equipment shall be designed to blend into the architectural character of the building, including without limitation the use of similar colors, and be screened from pedestrians below.
 - (iii) The proposed telecommunications equipment shall not pose a threat to the public health or safety.
- B. All ground mounted telecommunications equipment shall be reviewed per the Code. The Code's criteria for antennas shall apply to other types of telecommunications equipment when ground mounted, if deemed necessary by the Planning Department.
- C. Ground mounted telecommunications dishes, antennas and panels shall be colored so as to blend into the surrounding environment.

6.4 WATER QUANTITY

- A. The Owner has researched and documented that it has sufficient senior water rights to support existing and future water uses associated with the PUD Amendment. As part of that research, the Owner, in concert with the Copper Mountain Consolidated Metropolitan District (CMCMD), has concluded that 35.1 acre feet of reliable "consumptive use" water has been conveyed to the CMCMD from the Owner's water rights portfolio. Said conveyance will enable the CMCMD to meet the in-house and irrigation water demand expected under full development of the 2013 PUD Amendment. The 2013 Amendments do not increase water demand. The transfer of the identified water rights has been accomplished by:
- (i) By Special Warranty Deed dated February 20, 2007 the Owner conveyed to the CMCMD 1.37 cubic feet per second ("cfs") interest in the West Ten Mile Ditch. This water right provides the CMCMD the ability to irrigate an additional 24 acres of landscape. Combined with its existing

water rights, the CMCMD now has the ability to irrigate a total of 44 acres of landscape, which is consistent with the ultimate needs under development of the 2008/2013 PUD Amendments. The 1.37 cfs West Ten Mile Ditch water right provides 34.8 acre feet of reliable “consumptive use” water from water rights that are senior in priority to the Denver Water Department’s downstream Dillon Reservoir and Roberts Tunnel water rights and that are not subject to calls from the United State’s Green Mountain Reservoir storage and hydropower rights because the West Ten Mile Ditch is a beneficiary of Green Mountain’s “Historical Users Pool”. The Water Court previously decreed the historical use of the rights in Case No. 92CW298. The CMCMD and the Owner have obtained a Water Court decree with the Division 5 Water Court in Case No. 07CW146 to confirm its use for the stated purpose of irrigation use within the CMCMD’s service area.

- (ii) The remaining 0.3 acre feet of reliable “consumptive use” water that was conveyed to the CMCMD consists of shares of stock in Clinton Gulch Reservoir (35.5 acre feet – 34.8 acre feet West Ten Mile Ditch = 0.3 acre feet balance). On February 20, 2007, the Owner assigned to the CMCMD 3.5 shares of Clinton Ditch and Reservoir Company Series 1 stock. These shares provide 0.35 acre feet of storage in Clinton Gulch Reservoir that the CMCMD can use for multiple purposes including in-house purposes. Said conveyance will enable the CMCMD to meet the in-house and irrigation water demand associated with the potable water system under full development of the 2008 & 2013 Major PUD Amendments.

B. In light of the actions listed above, the Owner and/or CMCMD has provided the following information and/or documentation to the Planning Department:

- (i) CMCMD obtained water court approval to use CMCMD’s 3.5 shares of Clinton Reservoir Company stock for augmentation of domestic water depletions within the PUD. The decree was entered in Case No. 02CW382.
- (ii) The Owner’s January 23, 2003 contract for 96 acre-feet of Wolford Mountain Reservoir water continues to be reserved for use by CMCMD under the Emergency Water Use Agreement. The use of this water supply was approved by the Water Court in Case No. 02CW382.

CMCMD has obtained final approval of the water court application in Case No. 02CW382. The final decree does not include new terms and conditions that would impair the use of the Owner’s water supplies for augmentation purposes under the Emergency Water Use Agreement.

- (iii) The Owner and CMCMD have obtained final approval of the water court application in Case No. 07CW146.
- (iv) CMCMD shall notify the Owner and the County when annual water usage exceeds 80% of the 635 acre/foot decreed volume (approximately 508 acre/feet) and provide data in the form of a water quantity review as to the current level of build-out and occupancy rates. If this water quantity review indicates that water usage is exceeding the projected rates, the Owner or Developer shall submit to the County and CMCMD a plan that addresses the projected shortfall to the satisfaction of the County prior to approval of any new developments. The plan will include procedures and a time line necessary to secure and adjudicate additional water supply and/or reduce the overall water demand within the PUD. If the approved plan is not successfully implemented by the time CMCMD’s in-house water demand is at or near 600 acre/feet, then CMCMD shall not issue additional water taps until the situation is resolved to the satisfaction of the County.
- (v) The Owner, in cooperation with CMCMD shall provide to the County for review and approval its drought response plan to establish the parameters for management of water during drought conditions.

6.5 WATER QUALITY

The Owner shall address the water quality issues (point source and non-point source discharges) associated with the development of the Property.

A. Point Source Discharges

Increased municipal wastewater discharges (point source discharges) will occur as a result of the proposed development of the Property. As a part of the 2001 PUD, CMCMD obtained additional pounds of phosphorus for their waste load allocation under the Lake Dillon Control Regulation to accommodate base area development. The current phosphorus allocation for CMCMD is 218 pounds and is sufficient to accommodate the phosphorus load generated by the development proposed in the 2013 PUD Amendments.

B. Non-Point Source Discharges

To minimize the amount of non-point source phosphorus and other pollutants discharged into West Ten Mile Creek, a variety of nonstructural and structural Best Management Practices ("BMPs ") will be incorporated into the development plans for the Property.

- (i) The Owner shall maximize utilization of the existing lakes for water quality enhancement, prior to discharge into West Ten Mile Creek.
- (ii) Directly connected impervious areas will be minimized to encourage the discharge of stormwater onto pervious surfaces and to lengthen the time of concentration in sub-drainage areas.
- (iii) For new non-point sources of phosphorus and other potential pollution sources, water quality protection strategies are grounded in a BMP-based approach to achieve compliance with federal, state, and local regulations.
- (iv) The use of underground storm sewers will be minimized if surface conveyance methods are practical and suitable given the surroundings. In some cases, considerations such as freezing, channel capacity, or other factors related to drainage efficiency may dictate that the use of open vegetated channels is not practical, and storm sewers may be acceptable.
- (v) The use of open vegetated drainage channels will be maximized to promote slow flow velocities and maximize pollutant removal. Where vegetated channels are the sole BMP, they shall comply with the Structural BMPs identified in item (x) below.
- (vi) At the time of submittal to the County of a building/grading permit application, a site-specific Stormwater Management Plan (SWMP) shall be submitted to the County for any construction activity that involves the disturbance of more than one (1) acre or for soil disturbance of less than one acre if it is part of a larger common plan of development that will disturb more than one acre. For any disturbance that requires a grading permit the Owner shall include an erosion control plan with the application consistent with the requirements of Chapter 7 of the Code.
- (vii) No direct discharges of stormwater to West Ten Mile Creek will be allowed from new development unless approved by the County Engineer. In general, runoff from new development will be treated by BMPs prior to discharge to West Ten Mile Creek. In isolated cases, direct discharges to West Ten Mile Creek may be allowed by the County because of grade and space constraints, provided that these discharges do not adversely impact water quality in West Ten Mile Creek.
- (viii) Discharges of stormwater into riparian corridors and wetlands will be "sheet flow" in nature. The stormwater will have received initial, up-gradient treatment to the greatest extent practicable.

- (ix) Major drainageways and stream channels affected by new development within the Property will be evaluated and designed for channel stability during the 5-year, 25-year and 100-year return frequency, 24-hour design storms.
- (x) Structural BMPs such as grass-lined channels, wetlands, extended dry detention ponds, designated infiltration areas, etc., will focus on phosphorus and other pollutant reduction. Design criteria for structural BMPs shall include:
 - (a) Vegetated receiving areas should be resistant to erosion from a 25-year, 24-hour storm in accordance with the Code.
 - (b) Detain and treat runoff using permanent stormwater detention facilities to detain to existing peak discharge rates and provide water quality benefits. Post-development peak discharge rates will not exceed existing discharge rates for the 25-year, 24-hour duration storm unless specifically allowed to release peak treated flows directly to West Ten Mile Creek by the County Engineer. By providing detention for the 5-year and 25-year events, stream channel stability will be promoted.
 - (c) Dry detention basins will be designed to attenuate flows while simultaneously maximizing retention time to improve water quality.
 - (d) BMPs will be designed with the objectives of aesthetics, maintenance, public safety and overall compatibility with the master plan in mind.
 - (e) Special design considerations apply for stormwater and "wash water" for below ground parking areas. Special BMPs will be constructed to remove settleable solids and oil-grease. If required, following preliminary treatment the water will be pumped out of the ground and discharged into other structural BMPs prior to discharge into the sanitary sewer system for treatment at the wastewater treatment plant.
 - (f) Run-off from new parking areas will be directed into structural BMPs, with emphasis on vegetated "filter strips" and grass-lined channels. The filter strips will be designed to provide extended onsite detention and infiltration.
 - (g) All completed detention and retention facilities will be inspected by the Owner at least once a year, following the period of peak runoff, to ensure they are functioning properly and being maintained as necessary.
 - (h) The extended dry detention ponds will have a drain time of less than 3 to 4 days, which is the typical time required for mosquito larvae to develop into adult mosquitoes. In addition, the detention facilities will be graded to promote positive drainage and reduce the potential for residual pools of water that promote the development of mosquitoes.
- (xi) BMPs are intended to resist erosion from construction sites as a result of erosion by the 25-year, 24-hour storm both during and after construction, in accordance with the Summit County Code. The BMPs listed below are suggested methods for compliance with the County Code:
 - (a) Construction phasing
 - (b) Installation of erosion and sediment control measures prior to disturbance
 - (c) Mulching or seeding disturbed areas within 7 days after final grade is reached, weather permitting
 - (d) Address slopes greater than 15% near a water body using appropriate techniques
 - (e) Temporary and permanent revegetation
 - (f) Protection of new or re-routed ditches, swales, channels or streams
 - (g) Culvert outlet protection
 - (h) Minimize sediment leaving the site
 - (i) Detention and treatment

- (j) Construction dewatering
- (k) Inspection and maintenance of erosion control and sediment control devices
- (xii) The use of fertilizers, herbicides, and pesticides and phosphorous-based chemicals within the Property shall be limited as follows:
 - (a) Each property owner shall ensure that fertilizers and pesticides are applied on its property by individuals with proper training in the application of such chemicals.
 - (b) Each property owner shall not use outdoor detergents on its property which contain phosphorous.
 - (c) Each property owner shall dispose of solvents, degreasers, oils, antifreeze and other industrial type chemicals from its property in an environmentally sound manner.
- (xiii) The site design will minimize the extent of directly connected impervious areas to the extent practical.
- (xiv) Temporary re-vegetation measures and erosion and sediment control measures will be left in place until the vegetative cover is equal to or better than the vegetative coverage prior to development, where such areas are not intended to be used for roads, driveways, or parking areas.
- (xv) Temporary re-vegetation measures and erosion and sediment control measures will be left in place until vegetative cover has reached 70% of the pre-disturbance ground cover in the area.
- (xvi) All permanent and temporary BMPs shall be installed prior to beginning any site grading and shall be maintained to ensure performance over time. Maintenance schedules shall be provided by the Owner to the County as a part of the Development Review application submittal. The maintenance shall be subject to review by the County. Maintenance responsibilities shall be as defined in Table 15:

Table 15. Maintenance Responsibility for Drainage Systems

Area	Responsibility
Lakes/Ponds	
West Lake	Owner
Guller Lake	Owner
East Lake	Owner/Homeowner Association(s)
MacKenzie Lake	Owner
Beeler Lake	Owner
Union Lake	Owner
Wheeler Creek Ponds and Stream	Owner
Roadside Drainage Swales	
Dedicated Public Right-of-Way ⁽¹⁾	Summit County
Privately Maintained Right-of-Way	Homeowner Association(s) (served by ROW)/Village at Copper/Owner
On-site Detention Facilities	Homeowner Association(s)/property owner(s)
Parking Garage Sand/Oil Separator Vault	Homeowner Association(s)/property

Area	Responsibility
	owner(s)
Public Plaza Storm Drainage	Village at Copper/Owner
On-Mountain Drainage	Owner
General Vegetated Drainage on Private Swales	Homeowner Association(s)/property owner(s)

Footnotes:

1. The maintenance of roadside drainage swales may be the responsibility of the County or the responsibility of some other entity if road maintenance agreements have been entered into between the County and that other entity.

6.6 WATER QUALITY MONITORING

In order to evaluate the effectiveness of water quality protection measures for receiving waters, the following monitoring program has been implemented by the Owner. The monitoring program has been developed based on knowledge gained by extensive monitoring and analysis conducted at the Resort in the past (see Technical Appendix 32, Water Quality Protection Strategies, for a summary of historical water quality monitoring at the Resort). Two types of monitoring will be conducted: A) Diagnostic monitoring to assess acute water quality impacts during construction, and B) Long-term monitoring to assess water quality impacts from the development over an extended time period. These monitoring programs are discussed below:

A. Diagnostic Monitoring During Construction

The goal of the construction-phase water quality monitoring is to identify and remedy potential problems quickly in order to minimize discharges of sediment, phosphorus and other pollutants to West Ten Mile Creek. Two types of monitoring will occur during construction: i) construction site observation, and ii) water quality sampling:

- (i) Construction site observation will occur on a routine basis by the permittee on the site. The minimum requirement of the CDPS General Permit for Stormwater Associated with Construction Activities is to perform a documented inspection at least once every two weeks and following any event that causes runoff. Construction site observations are also performed to verify that site BMPs are being implemented to resist erosion in a manner consistent with the requirements of the County Code.

In addition to complying with the CDPS General Permit for Stormwater Associated with Construction Activities requirements, the staff and contractors permittee will routinely make observations of BMPs as a part of daily activities on the site and to maintain BMPs on an as-needed basis rather than on a two-week schedule.

- (ii) Water quality sampling will occur for dewatering discharges, as required by the CDPS General Permit for Construction Dewatering Operations obtained from CDPHE, for total suspended solids (TSS), total dissolved solids (TDS), total phosphorus (TP), oil and grease (visual), pH and flow rate.

In addition to the required sampling for construction dewatering discharges, the permittee will keep sampling supplies on site to enable collection of at least four samples of TSS, TDS, TP and pH. The purpose of having the sampling supplies on site will be to allow the permittee to collect a water sample from the site to characterize a discharge in the event of an accidental release. Collection of these samples can be useful for assessing potential impacts to the receiving waters.

B. Long-Term Monitoring

The goal of the long-term water quality monitoring program is to evaluate water quality impacts caused by the development by collecting water samples from West Ten Mile Creek at locations upstream and downstream of the resort. The long-term monitoring will continue through the build-out of the PUD, plus for an additional two years for confirmation monitoring. The following monitoring program has been implemented beginning in 2009 following approval of the 2008 PUD Designation:

- (i) Water quality samples and flow measurement data collected as part of the long-term monitoring will be collected by a qualified environmental professional. The professionals have recalibrated and routinely utilize the historic USGS staff gauges that were installed on West Tenmile Creek as part of the monitoring program.
- (ii) Long-term water quality samples, staff gauge readings and flow measurements will be collected monthly from May through October.
- (iii) Long-term water quality samples and flow measurements will be collected at the following locations: Upstream from the Resort at the Colorado Department of Transportation (CDOT) gauge, and downstream from the resort at the SWQC gauge across from the wastewater treatment plant (WWTP), but upstream of the WWTP discharge. The Owner has coordinated sample collection and flow measurement with SWQC. Costs of the sample analysis will be paid by the Owner. Samples may be collected by SWQC or other contractor selected by the Owner.
- (iv) Field-measured parameters include temperature, pH, dissolved oxygen, conductivity, oil and grease (visible), and measured flow rate. Parameters for laboratory analysis include TSS, total phosphorus, dissolved phosphorus, hardness, total ammonia, nitrate, and nitrite. Laboratory analyses are performed by EPA certified laboratories. Raw data from the sampling analyses is available to SWQC at their request.
- (v) Based on monitoring results, the Owner, working with SWQC, will prepare an end-of-year report on water quality in West Ten Mile Creek. This report provides analysis of data collected in the previous year and will evaluate differences between upstream and downstream conditions. For purposes of data interpretation, if an increase of more than 15% in total phosphorus or total suspended solids is observed from upstream to downstream, the Owner will work with SWQC to evaluate the adequacy of BMPs for water quality protection and determine if additional or alternate BMPs are appropriate.

The end-of-year report can recommend adjustments to the monitoring program based on data collected. Adjustments related to parameters analyzed, sampling frequency, and other facets of the monitoring program may be justified based on interpretation of results.

6.7 WATER SYSTEM IMPROVEMENTS

The Copper Mountain Consolidated Metro District ("CMCMD") will provide water service where required. Construction of all water lines and other improvements shall be in conformance with the rules and regulations of the CMCMD. All future development within the PUD shall be subject to CMCMD rules and regulations in effect at the time of a site specific development proposal.

The Owner shall not build buildings, retaining walls, landscape features, trees, shrubs and other similar improvements over existing water lines or wells that would interfere with efficient and economical maintenance of the underlying water system unless approved by CMCMD. Hiking/biking paths, parking lots, curb and gutter, asphalt and grass are acceptable.

6.8 SEWER SYSTEM IMPROVEMENTS

The CMCMD will provide sanitary sewer service where required. Construction of all sewer mains and other improvements shall be in conformance with the rules and regulations of the CMCMD. All future development within the PUD shall be subject to CMCMD rules and regulations in effect at the time of a site specific development proposal.

The Owner shall not build buildings, retaining walls, landscape features, trees, shrubs and other similar improvements over existing sewer lines that would interfere with efficient and economical maintenance of the underlying sewer system unless approved by CMCMD. Hiking/biking paths, parking lots, curb and gutter, asphalt and grass are acceptable.

6.9 SOLID WASTE

In coordination with the Director of the Village at Copper, each site listed below will be developed incorporating either an interior facility or exterior facility to house a trash container(s) and a comingled recycling container (s) which will meet the needs of the development's total garbage output.

If exterior, the containers shall be completely enclosed within a separate building or fenced enclosure such that the containers are completely hidden from public view as well as designed to meet the animal proof standards as required by the PUD in Section 7.3.

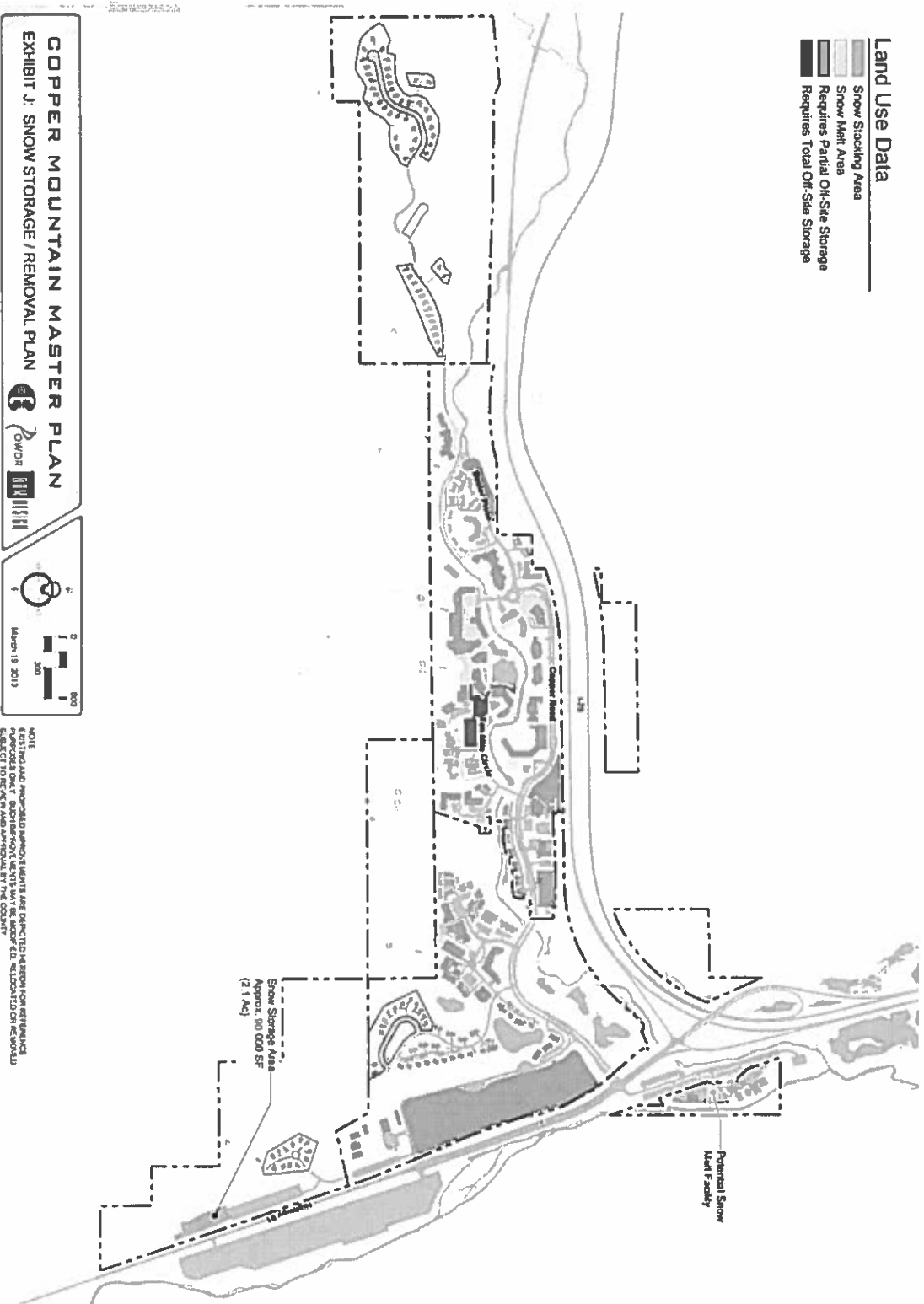
The size of the containers and therefore the size garbage facility for each development will be determined by the volume of trash and recycling based on the density of the development, considering the demands and numbers of both the residential and commercial units. The developer of each project shall meet with the local garbage (trash and recycling) removal company such as; the Village at Copper or Waste Management, to be advised as to the size of the trash container(s) and comingled recycling container(s) needed.

- Parcel 6, Union Creek/Schoolhouse
- Parcel 18, Chapel Site
- Parcel 12, Copper Commons
- Parcel 22, Creekside North
- Parcel 24, Sky Chutes and Creekside South
- Parcel 29, Eastlake Housing
- Parcel 32, A-Lift Neighborhood

Programs for recycling will be introduced into the projects once commercial tenants are finalized to determine what type of recycling facilities will be required and used by the occupants.

Land Use Data

- Snow Stacking Area
- Snow Melt Area
- Requires Partial Off-Site Storage
- Requires Total Off-Site Storage





7.0 Environment

7.1 AIR QUALITY

- A. Gas fueled fireplaces are allowed for use in all fireplace, stove, and fire pit applications.
- B. Solid fuel burning devices (including biomass fuels) are only permitted in the following applications:
 - (i) The lobby or common area of mixed use, multi-family, or lodge buildings (1 per building).
 - (ii) In mechanical and boiler rooms, for the purposes of providing heat or generating electricity.
 - (iii) Restaurant ovens shall be submitted for review by the Colorado Department of Health and Environment and submitted to the Air Pollution Control Division for an Air Pollution Emissions Notice.
 - (iv) All solid fuel burning devices shall meet or exceed the County requirements and be EPA certified.
- C. Solid fuel burning devices are prohibited in all dwellings and other structures except as expressly allowed herein. Dwellings that have solid fuel burning devices (fireplaces) as of the August 9, 1999 are legal non-conforming land uses.
- D. Fire pits are permitted in outdoor areas associated with Copper Station, Burning Stones Plaza, West Lake, East Lake Lodge and Union Creek, and future pedestrian plazas at Union Creek Lodge, Beeler Transit Center, Copper Commons, Sky Chutes and Chapel Lot redevelopments (1 per area) unless otherwise approved by the Planning Department.
- E. All new construction shall use Best Management Practices ("BMPs") for controlling dust.
- F. Open burning of slash requires a burning permit.
- G. Trash incinerators are prohibited.
- H. If the County adopts a county-wide air quality monitoring program, then the Owner will cooperate in the program as it relates to the Copper Mountain Subbasin for all new projects from the time of adoption of this program.

7.2 HISTORICAL/ARCHEOLOGICAL FEATURES

- A. Historical/archeological features shall be considered as part of any development review. The Owner shall work with the Summit Historical Society and the Colorado Historical Society to identify any feature of historical or archeological significance. The Owner shall plan development to be compatible with any significant historic/archeological resource.
- B. Features of known historical importance are the homestead cabins located near the Property entrance. These cabins shall be protected but may be relocated with the approval of the Copper Mountain Chapel Foundation and the County Planning Department.

7.3 WILDLIFE

It is the intent of this PUD Designation to preserve and enhance wildlife habitat located within the Property. The Owner completed a wildlife impact analysis of the Property in 1998. That report was deemed satisfactory for this PUD Designation by a certified wildlife biologist in 2008, the same biologist

who prepared the original report. The report evaluated each Neighborhood and the impacts to wildlife from the development proposal. The following recommendations of the wildlife analysis are hereby incorporated as specific requirements of this PUD Designation to mitigate wildlife impacts in the areas proposed for development. The Colorado Parks and Wildlife ("CPW") may have additional recommendations during applicable Development Reviews per the Wildlife Habitat Overlay District of the Code.

A. Village Center and East Village Neighborhoods

- (i) Wetland areas and sensitive wildlife habitat shall be protected to the greatest extent practicable.
- (ii) Maintain minimum County setbacks to creeks and wetlands, to the greatest extent practicable.
- (iii) Building eaves shall be designed to preclude cliff swallows from building nests.
- (iv) Residents and guests shall be informed of measures to reduce potential conflicts with bears and other wildlife species. Important measures include garbage disposal, not feeding pets outdoors and not feeding wildlife. The Owner shall distribute CPW's "Living with Wildlife in Bear Country" Brochure.
- (v) All dumpsters that bears can access shall have a locking bar to make them bear resistant.

B. West Village Neighborhood

- (i) Wetland areas shall be avoided to the greatest extent practicable.
- (ii) Residences shall be clustered into pods to concentrate and localize impacts.
- (iii) Construction activity shall be limited to daylight hours only.
- (iv) Define limits of development impacts with the use of building envelopes.
- (v) Discourage fertilized and irrigated landscape areas.
- (vi) Maintain minimum County setbacks to streams and wetlands to the greatest extent practical.
- (vii) Dogs and cats shall be prohibited from freely ranging; all dogs and cats must be kept within the building envelopes within runs. Pets shall not be fed outdoors.
- (viii) Fencing shall not be allowed, unless such fencing is: 1) limited to small privacy areas or dog runs less than 200 square feet in size; 2) fencing is "wildlife friendly" per CPW's approval; 3) construction fencing limiting the area to be disturbed; or absolutely necessary to ensure public safety as determined by the County.
- (ix) Outside storage of trash shall not be permitted unless it is contained in bear-resistant containers approved by CPW and that are consistent with any County requirements. Prior to the issuance of a certificate of occupancy for each single-family dwelling unit, a receipt of purchase for a bear resistant trash container shall be submitted to the Planning Department.
- (x) Composting areas shall not be permitted.
- (xi) Feeding, baiting, salting or other means of attracting wildlife is not permitted (with the exception of bird feeders).
- (xii) The Village at Copper shall inform residents and guests of the sensitivity of the environment in the West Village Neighborhood by the distribution of CPW's "Living with Wildlife in Bear Country" Brochure.

C. North Ten Mile Neighborhood

- (i) Wetland areas shall be avoided to the greatest extent practicable.
- (ii) Existing trail systems shall be utilized to the greatest extent practicable.
- (iii) Berms shall be constructed between parking areas and wetlands to attenuate visual and acoustic disturbances.
- (iv) Maintain minimum County setbacks to creeks and wetlands, to the greatest extent practicable.

- (v) All dumpsters that bears can access shall have a locking bar to make them bear- resistant.
- D. Other Neighborhoods
 - (i) Wetland areas and sensitive wildlife habitat shall be protected to the greatest extent practicable.
 - (ii) Maintain minimum County setbacks to creeks and wetlands, to the greatest extent practicable.
 - (iii) Building eaves shall be designed to preclude cliff swallows from building nests.
 - (iv) Residents and guests shall be informed of measures to reduce potential conflicts with bears and other wildlife species. Important measures include garbage disposal, not feeding pets outdoors and not feeding wildlife. The Village at Copper shall distribute CPW's "Living with Wildlife in Bear Country" Brochure.
 - (v) All dumpsters that bears can access shall have a locking bar to make them bear- resistant.

7.4 WETLANDS AND STREAMSIDE SETBACKS

- A. Development shall avoid wetlands wherever practical. There is a twenty-five foot (25') setback from all wetland areas within the Property. The County, in accordance with the Wetland Regulations of the Code, shall review any proposed disturbance within wetland and/or wetland setback areas.
- B. Any proposed discharge of dredged or fill material into wetlands, or other waters of the United States shall be reviewed in accordance with Section 404 of the Clean Water Act Permit requirements of the Army Corps of Engineers (Corps).
- C. Any proposed revisions to projects previously approved in accordance with subsections A and B above shall require additional review and approval in accordance with applicable regulations.
- D. The goal of any proposed compensatory mitigation plan shall be to replace wetlands or wetland setback areas with wetlands and native plant community wetland setback systems that will provide wetland functions at a rate at least equal to, or greater than, the functions performed by the impacted resources. Any wetland replacement or mitigation shall be done within the Property or surrounding lands located within the County.
- E. All mitigation sites shall be monitored for a period of five (5) years starting the first full growing season after construction. Monitoring will be performed by a qualified wetland consultant and conducted in accordance with an approved monitoring plan. A monitoring report will be submitted to the County and the Corps each year. If the annual report indicates action is necessary to promote the long-term viability of a mitigation site, then the Owner shall take immediate action based on the recommendations of a qualified wetland consultant. In order to assure the long-term success of an approved wetland creation or wetland setback restoration mitigation project, in terms of function and value, the project shall be accompanied by a five (5) year Letter of Credit (LOC). The County shall not release the LOC until the final monitoring report for each site, prepared by a qualified wetland consultant, documents the site as successful.
- F. All development within the Property shall comply with the 25-foot streamside setback, as specified in the Code. Exceptions to this standard may be made pursuant to Chapter 7 of the Code.
- G. Masters Mitigation Area. The Masters mitigation area was a mitigation site for a previously approved wetland fill project that failed due to a lack of adequate hydrology. The Owner has created 0.55 acre of new wetlands on the golf course 10th fairway, and maintain the 0.10 acre in the original Masters mitigation site. The approved sites for the mitigation replacement are specified in the Wetlands Report prepared by Claffey Ecological Consulting, Inc. dated May 2008, which was submitted with the PUD Amendment application materials as Technical Appendix 44. The additional 0.22 acre requirement was implemented at Site OO.

- H. The Owner shall restore West Ten Mile Creek between the pedestrian bridge east of Village Square condominiums to the I-70 CDOT ROW as noted in the Claffey report from 2008. West Ten Mile Creek was relocated and channelized in 1973 and does not provide the riverine functions or the visual appeal of a natural Rocky Mountain tributary. This restoration project will return approximately 3,070 lineal feet of the creek to a more natural condition, restore and rehabilitate stream banks, restore riverine wetlands, improve the wetland and streamside setback and improve trout habitat. A detailed explanation and illustration of the proposed restoration activities are outlined in the Wetlands Report referred to in Subsection G above. The West Ten Mile Creek restoration work will be completed according to the implementation mechanisms specified on Table 8, Landscape Project Triggers.
- I. The Owner shall install interpretive signage along the Copper Community Trail (T11) adjacent to West Ten Mile Creek and along the Timber Creek Park trail (T16) connection linking the Copper Community Trail to the Colorado Trail (T7) upon construction of these trails. Among other things, the signs will explain the valuable functions that wetland areas perform and the wetland preservation and enhancement projects proposed throughout the Resort. All interpretive sign programs shall be reviewed and approved by the County Open Space & Trails Department. The signs shall be installed at the same time as the associated trail construction.
- J. Concurrent with the approval of the 2008 Major PUD Amendment the Owner proposed, and the County reviewed and approved, a number of site-specific projects that impact wetland or wetland setback areas. Detailed descriptions of the projects, the compensatory mitigation offered and timelines for construction are contained in the Wetlands Report prepared by Claffey Ecological Consulting, Inc. dated May 2008, which was submitted with the PUD Amendment application materials as Appendix 44.
- K. Minor technical modifications may be allowed to the stipulated wetland commitments as represented in this PUD document and Technical Appendix 44 via a Class 2 development review procedure as outlined in the County's Land Use and Development Code. The Planning Department shall administratively account for such minor modifications as a part of the Class 2 review process. When a PUD Amendment is requested, such Amendment shall also seek to incorporate the minor wetlands mitigation modifications that have been approved by the Class 2 review procedure into the applicable portions of the PUD and Technical Appendix 44.

The Planning Department shall administratively approve minor revisions or modifications to the 2008 Copper Mountain Resort Wetlands Report if the application meets all relevant County regulations and standards and provided the Planning Department makes the following findings, as applicable:

- (i) The proposed wetland modification does not result in a reduction in the wetland mitigation commitments as stipulated in the 2008 and 2013 Copper Mountain PUD Major Amendments.
- (ii) The proposed revision or modification does not significantly increase the level of environmental impact.
- (iii) The proposed wetland modification shall fully comply with all applicable Wetland Regulations of the Code.

7.5 FLOODPLAIN

All developments that propose to encroach upon the Ten Mile Creek or the West Ten Mile Creek floodplains shall comply with both the Federal Emergency Management Agency (FEMA) map revision process (Conditional Letter of Map Revision [CLOMR] and Letter of Map Revision [LOMR]) as well as

the County's floodplain development process and requirements prior to approval of any permit for the site.

A hydraulic analysis was conducted to evaluate the existing flood flows, base flood elevations and to assess the changes required to modify floodplain boundary in certain areas (Appendix 31) in accordance with FEMA and County regulations.

7.6 GEOLOGIC HAZARD AND SOILS REPORT

Each development project shall include a site-specific subsoil study and hazards analysis as part of the development application.



8.0 Community Services

8.1 CHAPEL

- A. The Owner voluntarily provided a one-time endowment of \$25,000 to the Copper Mountain Chapel Foundation to help fund the preservation of historical structures located on the Property.
- B. Upon the development of Development Parcel 18, Village Center Neighborhood, the Owner shall construct a minimum of 15 permanent parking spaces adjacent to the Chapel building. The Owner shall also provide additional parking at Center Lot West for special events and occasions on an as-needed and availability basis.

8.2 POLICE PROTECTION

Police protection shall be provided by the Summit County Sheriff's Department.

8.3 FIRE PROTECTION

The CMCMD will provide fire protection. All construction within the PUD shall conform to the International Fire Code as adopted by the CMCMD at the time building permits are requested. The Owner shall review all fire department and emergency response access and fire protection strategies as part of each individual site plan review.

The Owner voluntarily donated 1.72 acres of land for a new fire station facility within the Property. The Owner voluntarily paid CMCMD the sum of \$75,000 for exclusive use in planning and construction of the project.



9.0 General Provisions

9.1 ENFORCEMENT

The provisions of the PUD Designation and the development plan relating to the use of land and the location of common Open Space shall run in favor of the County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law. Other provisions of the PUD Designation and the development plan shall run in favor of the residents, occupants and owners of the Property, but only to the extent expressly provided in, and in accordance with the terms of, the PUD Designation and the development plan. Provisions not expressly stated as running in favor of the residents, occupants or owners of the Property shall run in favor of the County. In addition, all continuing, surviving obligations under any released site improvements agreements shall also be considered continuing obligations of this document and enforceable in accordance with the provisions set forth herein.

9.2 BREACH OF PROVISIONS OF PUD DESIGNATION

If at any time any provision or requirements stated in this PUD Designation have been breached by the Owner, the County may withhold approval of any or all site plans or plat maps, or the issuance of any or all grading or building permits or occupancy permits applied for on the Property, until such breach has been remedied; provided, however, that the County shall not take affirmative action on account of such breach until it shall have first notified the Owner in writing and afforded the Owner a reasonable opportunity to remedy the same.

The Owner shall schedule and coordinate a semi-annual PUD Designation compliance review meeting with representatives from County staff until such time as the County determines the meetings no longer necessary. The results of the meeting will be documented in a report prepared by the Owner and shall be distributed to the County staff.

9.3 BINDING EFFECTS

The PUD Designation shall run with the Property and be binding upon the Owner, their respective successors, representatives and assigns, all persons who may hereafter acquire an interest in the Property or any part thereof, and new development requiring a Development Review, with the exception that provisions of this designation may be modified through an amendment in accordance with the procedure stated in the County Development Review Procedures. This PUD Designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

9.4 AMENDMENTS

- A. Amendments to the provisions of this PUD Designation shall be received and acted upon as a rezoning application, subject to the County's procedures for zoning amendments and to the requirement for findings under the Planned Unit Development Act of 1972 at C.R.S. 24-67-106(3)(b), unless such amendment is determined to be minor in nature.
- B. Amendments to the provisions of this PUD Designation may be initiated by, and the applicant on any application for any such amendment may be, any of the following persons or entities (each, a "Permitted Applicant") acting alone or together:
 - (i) the County Commissioners,
 - (ii) the Planning Commission,

- (iii) the Planning Director of the Planning Department,
 - (iv) any owner of fee title to any real property within the Property on the condition that the owner's real property would be directly affected by such amendment (an "Affected Property Owner"),
 - (v) anyone having written permission from an Affected Property Owner, or
 - (vi) a public entity having the power to obtain title to the property through condemnation.
- C. Notwithstanding Subsection 9.4.(B) above, if the effect of any amendment to this PUD Designation would be to subject any property to this PUD Designation that was not previously subject to this PUD Designation (any "Additional Property"), the owner of such Additional Property must be an applicant on the application for such amendment or otherwise provide its written consent to subject its Additional Property to this PUD Designation.
- D. Amendments to this PUD Designation initiated by one or more Permitted Applicants that are approved in accordance with the Code shall be binding upon all owners of property subject to such amended PUD Designation.
- E. If a PUD Amendment is proposed by a Permitted Applicant other than the Owner, then the Owner shall be considered a referral agency and provided adequate time as defined in the Code to review and comment upon the application. The Owner shall also be given the opportunity to review the final amended documents prior to recordation.

9.5 NOTICES

All notices required by this PUD Designation shall be in writing and shall be either hand-delivered or sent by certified mail, return receipt requested, postage prepaid, as follows:

Notice to County:
Board of County Commissioners
P.O. Box 68
Breckenridge, CO 80424

Notice to Owner:
Powdr - Copper Mountain LLC
0800 Copper Road P.O. 3001
CR 1193
0209 Ten Mile Circle, 2nd Floor, Room 210
Copper Mountain, CO 80443

All notices so given shall be considered delivered three days after the mailing thereof, excluding weekends or official holidays. Either party, by notice so given, may change the address to which future notices shall be sent.

9.6 ENTIRE DESIGNATION

This PUD Designation contains all provisions and requirements incumbent upon the Owner relative to the PUD, except as modified by subsequent action of the Board of County Commissioners in accordance with procedures set forth in the Code and the Colorado Planned Unit Development Act (CRS 24-67-106) for amending PUDs, and except that nothing contained herein shall be construed as waiving any requirements of the Code or other regulations otherwise applicable to the development of the Property.

This PUD Designation supersedes all previous PUD Designations covering the real property included within this PUD. To the extent the provisions of this revised PUD Designation are the same in substance to the provisions of earlier approved versions of this PUD Designation, they shall be considered as continuations thereof and not new enactments.

9.7 REAL ESTATE TRANSFER ASSESSMENT ("RETA")

- A. The Owner has agreed to impose and collect, through The Village at Copper ("VAC"), an existing real estate transfer assessment in connection with the sale of certain existing Property within the

Resort (the "Existing RETA"), which Existing RETA is equal to 1.5% of the purchase price of any such property. The Owner, the County, and the VAC have agreed to establish a Real Estate Transfer Assessment agreement that effectively distributes a portion of the RETA collected on the future development parcels to the County (the "Future RETA") in specific percentages as set forth below. No Future RETA will be assessed on the sale of undeveloped land. Within 18 months of the PUD Effective Date, the Owner shall execute and record a County-approved implementation agreement by which: (i) the Future RETA is levied against the initial sale, conveyance or other legal transfer of any fully constructed and entitled residential dwelling unit or units developed as part of any future development on those future development parcels located within the Property, and specifically allocates from the Future RETA levied on such units an amount equal to 0.25% of the purchase price thereof and forwards such sum to the County (the "Initial County RETA"); and (ii) the Future RETA is levied against any and every subsequent sale, conveyance or legal transfer of any future residential dwelling unit or units developed on any of the future development parcels, following the initial transfer thereof, and specifically allocates from the Future RETA levied on such subsequent sales an amount equal to 0.5% of such subsequent purchase price and forwards such sum to the County (the "Subsequent County RETA"). The Initial County RETA and Subsequent County RETA shall be deducted directly from the Future RETA paid at the time of closing related to the subject property.

B. Future RETA:

The future development parcels listed below will a part of the Village at Copper and the sale of all residential dwelling unit or units will be subject to a 1.5% RETA imposed on the transferee that will be distributed to the Village at Copper and Summit County as Summit County's Initial County RETA or Subsequent County RETA as described herein. These development parcels are as follows:

- Parcel 6 - Union Creek Base Area
- Parcel 12 - Copper Commons
- Parcel 18 - Chapel Lot Site
- Parcel 24 - Sky Chute and Creekside South
- Parcel 22 - Creekside North
- Parcel 29 - East Lake Housing
- Parcel 32 - A Lift Housing

- (i) The amount of the allocation to the County will vary depending upon if the sale, conveyance or other legal transfer is the Initial Sale (the first time the residential dwelling unit is sold) or a Subsequent Sale (all sales in perpetuity of a residential unit that follow the Initial sale.)

The County's allocations of these Future RETAs are as follows:

Initial Sale: 0.25% of the purchase price is the Initial County RETA

Subsequent Sale: 0.50% of the purchase price is the Subsequent County RETA

- (ii) If the Village at Copper amends the RETA percentage, either higher or lower, the amount of the purchase price that the County will receive shall not change from the amounts identified in section 9.7A and 9.7C.

- C. If any remaining residential density related to the future development parcels is transferred and/or constructed on a different development parcel other than the future development parcels, the Initial County RETA and Subsequent County RETA shall still apply to any such transfer. The Initial County RETA and Subsequent County RETA obligation shall run with the future development parcels in perpetuity and be binding on the Owner or any other third party developers who ultimately develop such property, their successors, heirs, and assigns. The Initial County RETA and Subsequent County RETA and the obligations and processes related thereto shall be more fully memorialized in a separate agreement to be entered into by and between the Owner, The Village at Copper and Summit County (the "Real Estate Transfer Assessment Agreement"), or by and between

Summit County, The Village at Copper and any third party entity that is responsible for the development.

- D. For purposes of the Initial and Subsequent County RETA, a residential dwelling unit subject to RETA shall include any single-family dwelling unit or legally distinct and transferable portion thereof, any multi-family dwelling unit, any duplex unit, any Hotel/Condo unit, or any new density created through redevelopment of existing properties within the Resort (see Section 2.5). A residential dwelling unit subject to RETA shall not include any Hotel/Lodge units, Employee Housing Units, Affordable Housing Units, Commercial units or vacant land.
- E. Determination of eligibility under any of the available Initial and Subsequent County RETA exemptions as fully defined in the RETA Agreement shall be made by the Board of County Commissioners of the County or its designee.
- F. Funds generated by the Initial County RETA shall be utilized by the County for programs or projects either County-wide, within the Ten Mile Basin or within the Copper Mountain Resort.
- G. Funds generated by the Subsequent County RETA shall be utilized specifically by the County for those programs or projects as set forth below.
 - (i) Community projects occurring within the boundaries of the Property such as, but not limited to:
 - 1) Infrastructure Improvements such as roadway, sidewalks, recreation paths, lighting, signage, etc.
 - 2) Chapel Improvements
 - 3) Childcare
 - 4) Affordable Housing Programs
 - 5) Open Space Improvements
 - 6) Trail Improvements
 - 7) Public Art
 - 8) Playground improvements
 - 9) Wetlands Enhancement
 - 10) Stream Restoration
 - 11) Environmental Improvements (including, but not limited to recycling centers)
 - 12) Any other projects located within, or providing a primary, direct benefit to, the Copper Mountain Community, as determined by the Board of County Commissioners.
- H. The Copper Mountain Resort Association (CMRA) shall act as an advisory liaison with the County for the disbursement of those funds generated by the Subsequent County RETA.
 - (i) On an annual basis, CMRA shall work with the Copper Mountain community stakeholders to identify and prioritize the community funding requests.
 - (ii) The CMRA Board of Directors shall in conjunction with County staff bring forward funding requests and provide recommendations to the Board of County Commissioners.
 - (iii) The Board of County Commissioners shall make the final determination as to the dispersal of Subsequent County RETA generated funds for the community projects.

I. Distribution of RETA:

The RETA due to the Village at Copper and the County will be dispersed by the Title Company at the time of closing. The seller of the property is responsible for assessment of RETA funds. If the

Owner (currently Powder - Copper Mountain LLC) is not part of the sales transaction, then they are not responsible for the assessment, collection or dispersing of RETA funds.

9.8 EFFECTIVE DATE

To be legally effective and binding, this PUD Designation must be recorded by the Summit County Planning Department in the office of the County Clerk and Recorder. The date of such recording of each Major Amendment is referred to herein as the "Effective Date."

9.9 PLATTING

- A. All subdivision of parcels within the Property shall be in conformance with Chapter 8 (Subdivision Regulations) of the Code now in effect or as hereafter amended. All easements to be dedicated shall be identified on the final plat or by separate document prior to recordation. If the property is not platted, such easements shall be granted prior to approval of the first site plan or any improvement on such property or the date listed on the associated trigger schedule.
- B. If a parcel requires property lines adjustments, easement vacations, right-of-way adjustments or other modifications the Owner shall subdivide the property prior to, or concurrent with, final site plan approval.
- C. All plats shall conform to the subdivision naming conventions as defined in the Code.

9.10 LEGALITY OF PROVISIONS

In the case one or more of the provisions contained in this PUD Designation, or any application hereof, shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this PUD Designation and the application thereof shall not in any way be affected or impaired thereby.

9.11 INCORPORATION OF EXHIBITS

Exhibits A through P attached hereto are hereby incorporated herein by this reference.

IN WITNESS WHEREOF, the County and the Owner/Developer have executed this PUD Designation as February 22, 1993.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY COLORADO

/s/ JOE SANDS
Joe Sands, Chairman

ATTEST:

/s/ DORIS L. BRILL, CLERK & RECORDER
Doris L. Brill, Clerk and Recorder

Copper Mountain, Inc.

By: /s/ HARRY B MOSGROVE
Harry B. Mosgrove, President

APPROVAL OF AMENDMENTS

The foregoing planned unit development designation amends and supersedes the Copper Mountain Planned Unit Development Designation as approved and signed by the Summit County Board of County Commissioners on:

Date of Modification	Reception Number	Resolution
May 10, 1993	445993	1993-44
August 9, 1999	611592	1999-99
March 27, 2000	621746	2000-35
June 25, 2001	660937	2001-64
May 23, 2006	962902	2006-47
September 23, 2008	902422	2008-58-A
December 8, 2009	931474	2009-67
September 14, 2010	963059	2021-65
December 6, 2011	981716	2011-71
December 11, 2012	1010735	2012-77
July 23, 2013	1039657	2013-52
June 23, 2015	1087169	2015-43
June 25, 2017	1148478	2017-52
June 26, 2018	1176974	2018-38
January 22, 2019	1192201	2019-06

The foregoing planned unit development designation supersedes all previous planned unit development documents and designations covering the real property included within the foregoing. To the extent that the provisions of the foregoing are the same in substance to the provisions of earlier approved versions of such planned unit development designations, they shall be considered as continuations thereof and not new enactments. Copies of the original Planned Unit Development Designation and the amendments noted above are available from the Summit County Clerk and Recorder.

Adopted this 22nd day of January, 2019



COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS


Thomas C. Davidson, Chair

Approved by


Legal

ATTEST:


Kathleen Neel, Clerk and Recorder

EXHIBIT K

**2013 PLANNED UNIT DEVELOPMENT DESIGNATION
POWDR - COPPER MOUNTAIN, LLC**

Description of Real Property for On Mountain Mining Claims

CLAIM - GOOD SEMERITIAN:

THE GOOD SEMERITIAN LODGE, LOT NO. 1750, DATED NOVEMBER 7, 1881,
LOCATED IN SECTION 5, TOWNSHIP 7 SOUTH, RANGE 78 WEST OF THE
SIXTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS
FOLLOWS;

BEGINNING AT A POINT FROM WHICH U.S. LOCATING MONUMENT 'UNION'
BEARS SOUTH 45°53'31 EAST A DISTANCE OF 1504.00 FEET;

THENCE NORTH 35°00'00" WEST A DISTANCE OF 150.00 FEET;
THENCE NORTH 55°00'00" EAST A DISTANCE OF 1500.00 FEET;
THENCE SOUTH 35°00'00" EAST A DISTANCE OF 150.00 FEET;
THENCE SOUTH 55°00'00" WEST A DISTANCE OF 1500.00 FEET TO THE POINT
OF BEGINNING.

SAID PARCEL CONTAINS 5.16 ACRES MORE OR LESS.

CLAIM - OLIE LIND TIMBER:

40 ACRE PARCEL IN SPAULDING BOWL, COPPER MOUNTAIN SKI AREA,
MORE PARTICULARLY DESCRIBED AS THE SW1/4, NE1/4, SECTION 6,
TOWNSHIP 7 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
SUMMIT COUNTY COLORADO.

CLAIM - LILLIE G. AND LILLIE G. NO. 2:

A PARCEL OF LAND ENCOMPASSING THE LILLIE G. AND LILLIE G. NO. 2, SURVEY NO. 20380, DATED SEPTEMBER 12, 1933, LOCATED IN TOWNSHIP 7 SOUTH, RANGE 78 WEST AND TOWNSHIP 7 SOUTH, RANGE 79 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE NORTHEAST CORNER OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEARS NORTH 23°49'00" EAST A DISTANCE OF 9848.21 FEET;

THENCE SOUTH 11°04'00" WEST A DISTANCE OF 1500.00 FEET;
THENCE NORTH 78°56'00" WEST A DISTANCE OF 600.00 FEET;
THENCE NORTH 11°04'00" EAST A DISTANCE OF 3000.00 FEET;
THENCE SOUTH 78°56'00" EAST A DISTANCE OF 600.00 FEET;
THENCE SOUTH 11°04'00" WEST A DISTANCE OF 1500.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 41.092 ACRES MORE OR LESS.

CLAIM - HATTIE H.:

THE HATTIE H. LODE, LOT NO. 1183, DATED FEBRUARY 15, 1881, LOCATED IN SECTION 5, TOWNSHIP 7 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT FROM WHICH U.S. LOCATING MONUMENT 'UNION' BEARS NORTH 53°56'05 EAST A DISTANCE OF 1778.30 FEET;

THENCE NORTH 40°00'00" WEST A DISTANCE OF 150.00 FEET;
THENCE NORTH 50°00'00" EAST A DISTANCE OF 1500.00 FEET;
THENCE SOUTH 40°00'00" EAST A DISTANCE OF 150.00 FEET;
THENCE SOUTH 50°00'00" WEST A DISTANCE OF 1500.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5.17 ACRES MORE OR LESS.

**CLAIM – EXCELLANZA, LULE NO. 2, F.D.W., SILVER CLOUD,
RECONSTRUCTION, MONA, LITTLE SLIVER, BESSIE, LITTLE WILLIE,
C. AND S., AND MOLLIE C.:**

A PARCEL OF LAND ENCOMPASSING THE BESSIE LODE, LOT NO. 3551,
DATED NOVEMBER 26, 1884;
THE LITTLE SLIVER LODE, LOT NO. 3555, DATED NOVEMBER 26, 1884;
THE LITTLE WILLIE, C. AND S., AND MOLLIE C. LODE, SURVEY NO. 20022,
BOOK 105, PAGE 529, DATED AUGUST 30, 1937;
THE RECONSTRUCTION LODE, LOT NO. 3554, DATED NOVEMBER 26, 1884;
THE EXCELLANZA LODE, LOT NO. 3152, DATED MARCH 10, 1884;
THE MONA LODE, LOT NO. 3151, DATED MARCH 10, 1884;
THE SILVER CLOUD LODE, LOT NO. 3571, DATED NOVEMBER 26, 1884;
THE F.D.W. LODE, LOT NO. 3552, DATED NOVEMBER 26, 1884;
THE LULE NO. 2 LODE, LOT NO. 3553, DATED NOVEMBER 26, 1884 LOCATED
IN TOWNSHIP 7 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL
MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE SOUTHEAST CORNER OF
SECTION 30, TOWNSHIP 6 SOUTH, RANGE 78 WEST OF THE SIXTH
PRINCIPAL MERIDIAN, BEARS NORTH 02°30'00" EAST A DISTANCE OF 9247.88
FEET;

THENCE NORTH 58°30'00" EAST A DISTANCE OF 602.37 FEET;
THENCE SOUTH 31°30'00" EAST A DISTANCE OF 300.00 FEET;
THENCE SOUTH 58°30'00" WEST A DISTANCE OF 717.82 FEET;
THENCE SOUTH 38°30'00" EAST A DISTANCE OF 693.48 FEET;
THENCE SOUTH 51°30'00" WEST A DISTANCE OF 1500.00 FEET;
THENCE NORTH 38°23'06" WEST A DISTANCE OF 861.86 FEET;
THENCE SOUTH 55°00'00" WEST A DISTANCE OF 753.88 FEET;
THENCE NORTH 34°59'40" WEST A DISTANCE OF 599.91 FEET;
THENCE NORTH 55°00'00" EAST A DISTANCE OF 838.51 FEET;
THENCE SOUTH 75°18'00" WEST A DISTANCE OF 1694.18 FEET;
THENCE NORTH 14°42'00" WEST A DISTANCE OF 150.00 FEET;
THENCE NORTH 75°18'00" EAST A DISTANCE OF 2099.68 FEET;
THENCE NORTH 55°00'00" EAST A DISTANCE OF 229.13 FEET;
THENCE SOUTH 35°00'00" EAST A DISTANCE OF 84.76 FEET;
THENCE NORTH 75°18'00" EAST A DISTANCE OF 655.90 FEET;
THENCE SOUTH 14°47'00" EAST A DISTANCE OF 57.11 FEET;
THENCE NORTH 58°30'00" EAST A DISTANCE OF 298.25 FEET TO THE POINT
OF BEGINNING.

SAID PARCEL CONTAINS 66.70 ACRES MORE OR LESS.

**CLAIM – EXCELLANZA, LULE NO. 2, F.D.W., SILVER CLOUD,
RECONSTRUCTION, MONA, LITTLE SLIVER, BESSIE, LITTLE WILLIE,
C. AND S., AND MOLLIE C. CONTINUED:**

EXCEPTING THEREFROM A PORTION OF SAID PARCEL MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE SOUTHEAST CORNER OF
SECTION 30, TOWNSHIP 6 SOUTH, RANGE 78 WEST OF THE SIXTH
PRINCIPAL MERIDIAN, BEARS THE FOLLOWING 2 COURSES:

- 1) NORTH 58°30'00" EAST A DISTANCE OF 619.65 FEET;
- 2) NORTH 02°30'00" EAST A DISTANCE OF 9247.88 FEET;

THENCE SOUTH 58°30'00" WEST A DISTANCE OF 275.20 FEET;
THENCE NORTH 35°00'00" WEST A DISTANCE OF 84.79 FEET;
THENCE NORTH 75°18'00" EAST A DISTANCE OF 292.82 FEET TO THE POINT
OF BEGINNING.

SAID EXCEPTION CONTAINS 0.27 ACRES MORE OR LESS.

NET PARCEL CONTAINS 66.43 ACRES MORE OR LESS.

CLAIM – STORM KING:

THE STORM KING LODE, LOT NO. 2519, DATED FEBRUARY 19, 1883, LOCATED IN SECTION 7, TOWNSHIP 7 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT FROM WHICH U.S. LOCATING MONUMENT, 'FOLLET' BEARS SOUTH 13°05'00" WEST A DISTANCE OF 4495.40 FEET;

THENCE NORTH 25°00'00" WEST A DISTANCE OF 150.00 FEET;
THENCE NORTH 65°00'00" EAST A DISTANCE OF 1500.00 FEET;
THENCE SOUTH 25°00'00" EAST A DISTANCE OF 150.00 FEET;
THENCE SOUTH 65°00'00" WEST A DISTANCE OF 1500.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5.16 ACRES MORE OR LESS.

CLAIM – SPREAD EAGLE, WESTPHALIA, AND YELLOW MASK

A PARCEL OF LAND ENCOMPASSING THE SPREAD EAGLE LODE, LOT NO. 3427, DATED MARCH 27, 1884; THE WESTPHALIA LODE, LOT NO. 3426, DATED MARCH 27, 1884; AND THE YELLOW MASK LODE, LOT NO. 3425, DATED MARCH 27, 1884, LOCATED IN SECTION 12, TOWNSHIP 7 SOUTH, RANGE 79 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT FROM WHICH U.S. LOCATING MONUMENT 'FOLLET' BEARS SOUTH 11°10'00" EAST A DISTANCE OF 1138.90 FEET;

THENCE NORTH 90°00'00" WEST A DISTANCE OF 300.00 FEET;
THENCE NORTH 00°00'00" EAST A DISTANCE OF 1500.00 FEET;
THENCE SOUTH 90°00'00" EAST A DISTANCE OF 450.00 FEET;
THENCE SOUTH 00°00'00" EAST A DISTANCE OF 1500.00 FEET;
THENCE NORTH 90°00'00" WEST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 15.50 ACRES MORE OR LESS.

CLAIM - BEE HIVE AND SIRIUS:

A PARCEL OF LAND ENCOMPASSING THE BEE HIVE LODE, LOT NO. 3573, DATED JUNE 11, 1884 AND THE SIRIUS LODE, LOT NO. 3572 DATED JUNE 11, 1884, LOCATED IN SECTION 12, TOWNSHIP 7 SOUTH, RANGE 79 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT FROM WHICH U.S. LOCATING MONUMENT 'FOLLET' BEARS SOUTH 26°20'30" EAST A DISTANCE OF 2988.40 FEET;

THENCE SOUTH 20°30'00" WEST A DISTANCE OF 1500.00 FEET;
THENCE NORTH 69°30'00" WEST A DISTANCE OF 150.00 FEET;
THENCE NORTH 20°30'00" EAST A DISTANCE OF 3000.00 FEET;
THENCE SOUTH 69°30'00" EAST A DISTANCE OF 150.00 FEET;
THENCE SOUTH 20°30'00" WEST A DISTANCE OF 1500.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 10.32 ACRES MORE OR LESS.

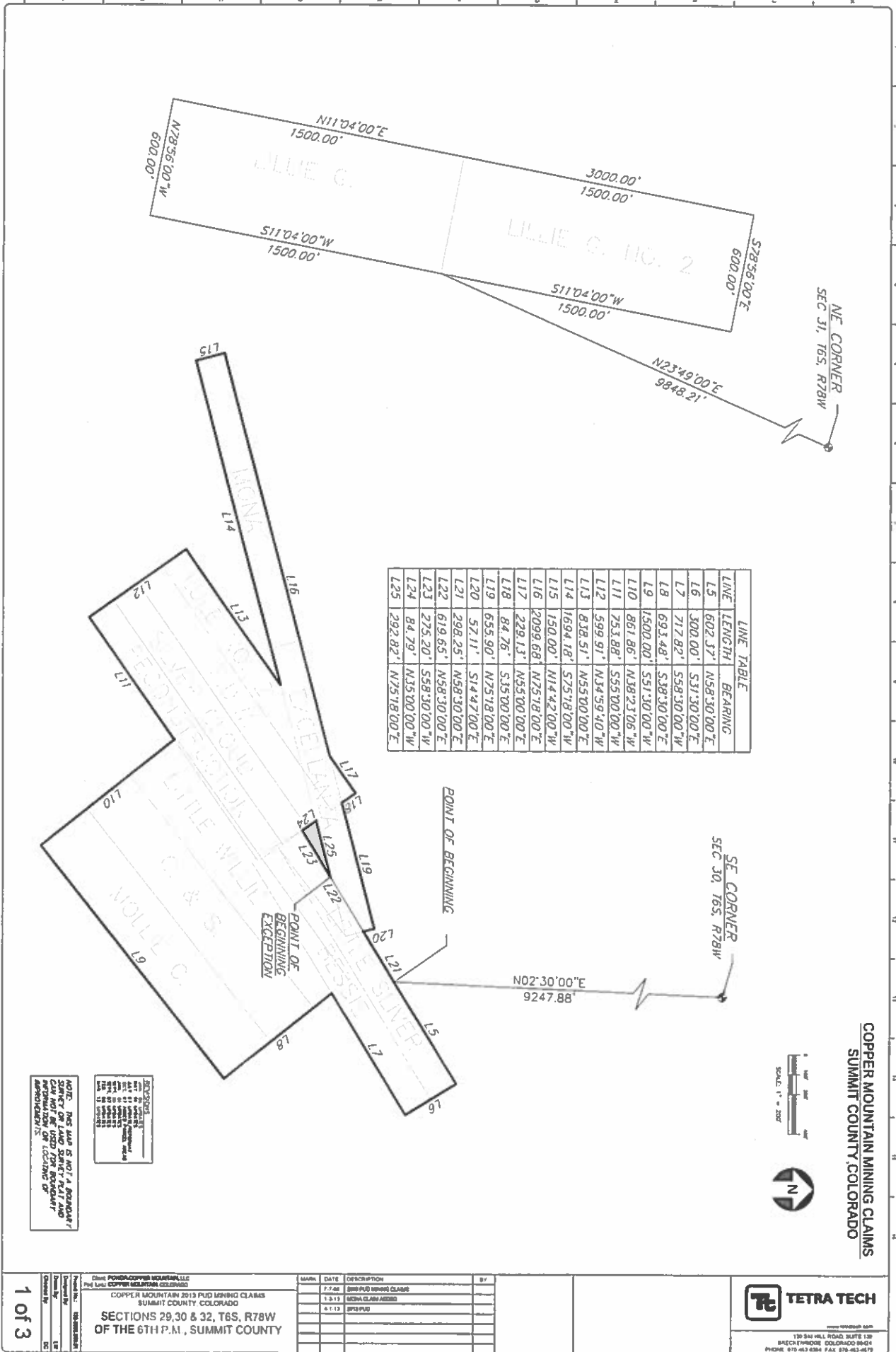
CLAIM – NEW YORK

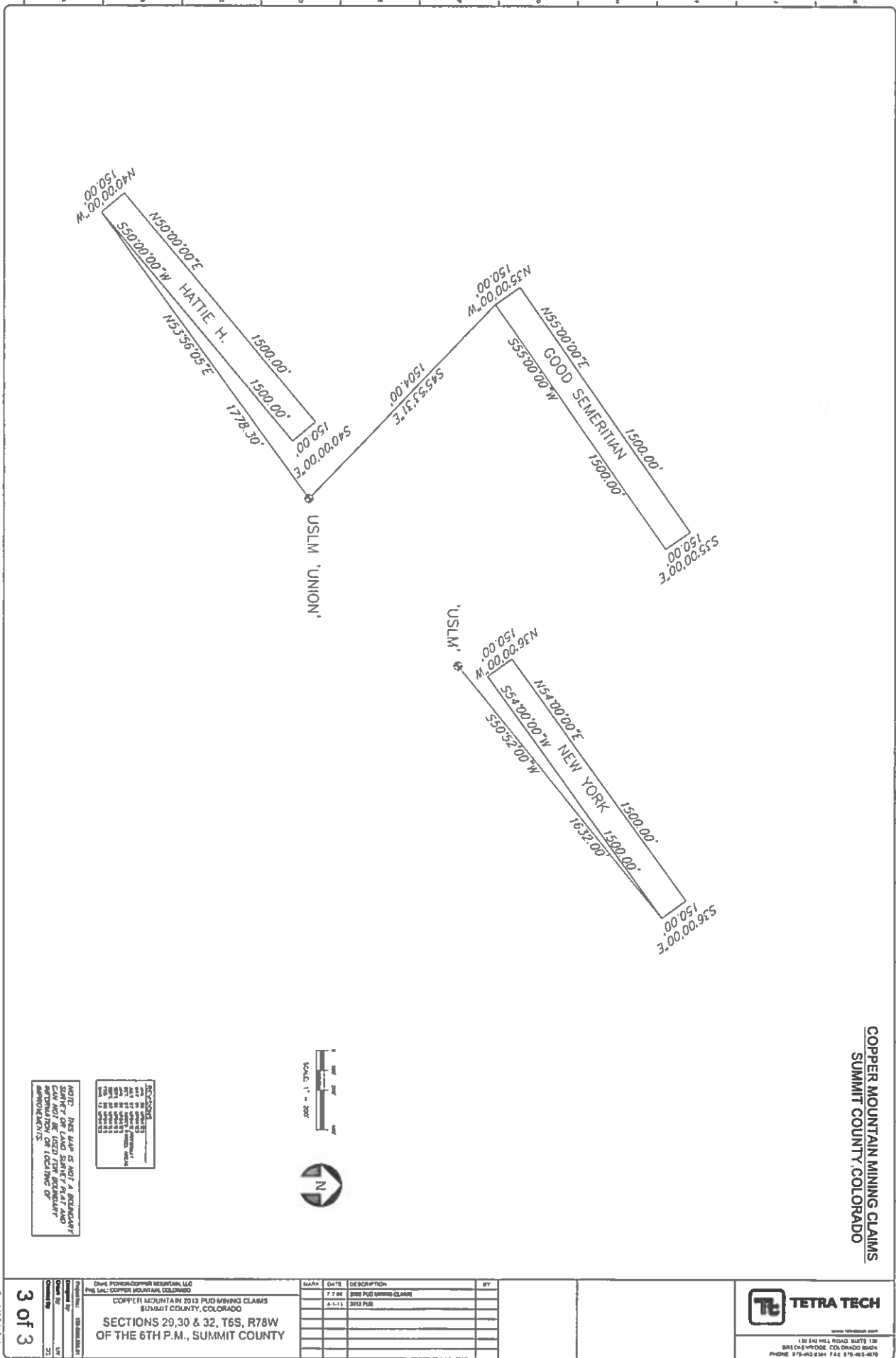
THE NEW YORK LODE, LOT NO. 639, DATED SEPTEMBER 4, 1880, LOCATED IN SECTION 11, TOWNSHIP 7 SOUTH, RANGE 79 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT A POINT FROM WHICH U.S. LOCATING MONUMENT, MARKED 'U.S.L.M' BEARS SOUTH 50°52'00" WEST A DISTANCE OF 1632.00 FEET;

THENCE SOUTH 54°00'00" WEST A DISTANCE OF 1500.00 FEET;
THENCE NORTH 36°00'00" WEST A DISTANCE OF 150.00 FEET;
THENCE NORTH 54°00'00" EAST A DISTANCE OF 1500.00 FEET;
THENCE SOUTH 36°00'00" EAST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5.16 ACRES MORE OR LESS.





COPPER MOUNTAIN MINING CLAIMS
SUMMIT COUNTY, COLORADO

EXHIBIT L

2013 PLANNED UNIT DEVELOPMENT DESIGNATION
POWDR - COPPER PARTICIPATION LLC
DESCRIPTION OF REAL PROPERTY

NORTH OF I-70 COPPER MOUNTAIN INC. PARCEL NO. 1:

A TRACT OF LAND LOCATION ENTIRELY WITHIN TRACT 38, IN THE NORTH ONE-HALF OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 6 OF SAID TRACT 38; THENCE N89°17'14"E A DISTANCE OF 328.02 FEET TO CORNER NO. 5 OF SAID TRACT 38; THENCE N00°04'46"W A DISTANCE OF 330.00 FEET TO CORNER NO. 4 OF SAID TRACT 38; CORNER NO. 4 ALSO BEING ON THE NORTH LINE OF SAID TRACT 38; THENCE ALONG THE NORTH LINE OF TRACT 38, N89°17'14"E, A DISTANCE OF 1,633.50 FEET TO CORNER NO. 3 OF SAID TRACT 38; THENCE S00°04'46"E A DISTANCE OF 316.20 FEET TO A POINT ON THE NORTH LINE OF RIGHT-OF-WAY FOR INTERSTATE NO. 70; THENCE ALONG THE NORTH LINE OF RIGHT-OF-WAY FOR INTERSTATE NO. 70 FOR THE FOLLOWING THREE COURSES:

- 1.) S89°19'34"W A DISTANCE OF 1,045.70 FEET;
- 2.) S88°35'15"W A DISTANCE OF 256.70 FEET;
- 3.) ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 667.18 FEET, HAVING A CENTRAL ANGLE OF 11°05'00", A RADIUS OF 3,449.00 FEET AND A CHORD WHICH BEARS S81°35'45"W, 666.14 FEET TO A POINT ON THE 7-6 LINE OF TRACT 38;

THENCE N00°04'46"W A DISTANCE OF 77.79 FEET TO THE POINT OF BEGINNING, CONTAINING 535,633 SQUARE FEET OR 12.296 ACRES, MORE OR LESS.

NORTH OF I-70, COPPER MOUNTAIN INC. PARCEL NO. 2:

A TRACT OF LAND LOCATED ENTIRELY WITHIN TRACT 37, IN THE NORTH ONE-HALF OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 5 OF SAID TRACT 37; THENCE N89°17'14"E A DISTANCE OF 662.01 FEET TO CORNER NO. 4 OF SAID TRACT 37; THENCE N00°04'46"W A DISTANCE OF 500.00 FEET TO A POINT ON THE WESTERLY LINE RIGHT-OF-WAY FOR INTERSTATE NO. 70; THENCE CONTINUING ALONG SAID WESTERLY LINE OF RIGHT-OF-WAY S24°19'41"E A DISTANCE OF 579.80 FEET TO A POINT ON THE NORTHERLY LINE FOR RIGHT-OF-WAY FOR INTERSTATE NO. 70; THENCE CONTINUING ALONG THE NORTHERLY LINE OF RIGHT-OF-WAY ALONG THE ARC OF A CURVE TO THE RIGHT DISTANCE OF 1,322.41 FEET HAVING A CENTRAL ANGLE OF 49°17'47", A RADIUS OF 1,537.00 FEET AND A CHORD WHICH BEARS S44°30'04"W, 1,282.00 FEET TO A POINT ON THE 6-5 LINE OF SAID TRACT 37; THENCE ALONG SAID 6-5 LINE N00°04'36"W A DISTANCE OF 933.02 FEET TO THE POINT OF BEGINNING, CONTAINING 609,994 SQUARE FEET OR 14.004 ACRES MORE OR LESS.

**SOUTH PARCELS (SOUTH OF I-70, WEST OF HIGHWAY 91, NORTH OF
WHITE RIVER NATIONAL FOREST), PARCEL NO. 3:**

A PARCEL OF LAND BEING A PORTION OF TRACTS 37 AND 38
LOCATED IN SECTIONS 29 AND 30, TOWNSHIP 6 SOUTH, RANGE 78
WEST AND A PORTION OF TRACT 40 LOCATED IN SECTION 25,
TOWNSHIP 6 SOUTH, RANGE 79 WEST OF THE SIXTH PRINCIPAL
MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, COPPER
MOUNTAIN EAST NEIGHBORHOOD SUBDIVISION, RECORDED AT
RECEPTION NO. 637483, ALSO BEING THE WESTERLY RIGHT-OF-WAY
OF COLORADO STATE HIGHWAY NO. 91;

THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID LOT 1,
AND THE EASTERLY, SOUTHERLY, AND WESTERLY BOUNDARY
LINES OF LOT 2, SAID COPPER MOUNTAIN EAST NEIGHBORHOOD
SUBDIVISION FOR THE FOLLOWING EIGHTEEN COURSES:

- 1.) S40°23'44"E A DISTANCE OF 413.06 FEET;
- 2.) THENCE S40°23'44"A A DISTANCE OF 227.70 FEET;
- 3.) THENCE S29°02'00"A A DISTANCE OF 379.28 FEET;
- 4.) THENCE S18°51'59"E A DISTANCE OF 266.98 FEET;
- 5.) THENCE S00°09'42"E A DISTANCE OF 79.12 FEET;
- 6.) THENCE S18°59'23"E A DISTANCE OF 565.42 FEET;
- 7.) THENCE S22°56'51"E A DISTANCE OF 1,079.94 FEET;
- 8.) THENCE S18°59'57"E A DISTANCE OF 2,735.63 FEET;
- 9.) THENCE S89°54'01"W A DISTANCE OF 624.01 FEET;
- 10.) THENCE N00°07'30"W A DISTANCE OF 492.98 FEET;
- 11.) THENCE N89°51'45"W A DISTANCE OF 378.76 FEET;
- 12.) THENCE N00°03'04"W A DISTANCE OF 642.38 FEET;
- 13.) THENCE S89°53'41"W A DISTANCE OF 1,009.10 FEET;
- 14.) THENCE N00°08'37"W A DISTANCE OF 616.16 FEET;
- 15.) THENCE S89°53'58"W A DISTANCE OF 795.41 FEET;
- 16.) THENCE N00°06'09"W A DISTANCE OF 825.13 FEET;
- 17.) THENCE S89°53'59"W A DISTANCE OF 2,310.32 FEET;
- 18.) THENCE N00°05'12"W A DISTANCE OF 634.22 FEET TO A
POINT ON THE SOUTHERLY BOUNDARY LINE OF LOT 3,
BLOCK 1, COPPER MOUNTAIN FILING NO. 1, RECORDED AT
RECEPTION NO. 126446;

THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF SAID LOT 3 AND ALONG THE SOUTHERLY BOUNDARY LINE OF LOT 2B, SAID COPPER MOUNTAIN FILING NO. 1, $S89^{\circ}17'13''W$ A DISTANCE OF 266.76 FEET TO THE SOUTHWESTERLY CORNER OF SAID LOT 2B, ALSO BEING THE EASTERLY CORNER OF LOT 5, COPPER MOUNTAIN FILING NO. 4, RECORDED AT RECEPTION NO. 631759; THENCE ALONG THE SOUTHERLY LINE OF SAID LOT 5, AND LOT 4, SAID COPPER MOUNTAIN FILING NO. 4, $S89^{\circ}17'14''W$ A DISTANCE OF 2,030.14 FEET TO CORNER 13 OF SAID TRACT 38, ALSO BEING THE WEST QUARTER CORNER OF SAID SECTION 30; THENCE $S89^{\circ}53'26''W$, A DISTANCE OF 1,320.10 FEET TO CORNER 12, SAID TRACT 38, ALSO BEING A POINT ON THE SOUTHERLY BOUNDARY LINE OF TRACT 2, LEWIS RANCH, A SUBDIVISION OF COPPER MOUNTAIN WEST NEIGHBORHOOD, RECORDED AT RECEPTION NO. 685418;

THENCE ALONG THE EASTERLY, SOUTHERLY, AND WESTERLY BOUNDARY LINES OF SAID TRACT 2, ALSO ALONG THE WESTERLY AND NORTHERLY LINES OF TRACT 1, SAID LEWIS RANCH FOR THE FOLLOWING NINE COURSES:

- 1.) $S00^{\circ}05'42''E$ A DISTANCE OF 660.03 FEET;
- 2.) THENCE $S89^{\circ}53'51''W$ A DISTANCE OF 2,533.62 FEET;
- 3.) THENCE $S00^{\circ}06'47''E$ A DISTANCE OF 254.42 FEET;
- 4.) THENCE $S88^{\circ}58'10''W$ A DISTANCE OF 809.56 FEET;
- 5.) THENCE $N00^{\circ}18'58''W$ A DISTANCE OF 1,565.19 FEET;
- 6.) THENCE $N84^{\circ}22'35''E$ A DISTANCE OF 657.61 FEET;
- 7.) THENCE $S65^{\circ}01'10''E$ A DISTANCE OF 132.75 FEET;
- 8.) THENCE $S89^{\circ}04'24''E$ A DISTANCE OF 980.23 FEET;
- 9.) THENCE $S87^{\circ}56'04''E$ A DISTANCE OF 1,595.96 FEET TO THE WESTERLY BOUNDARY LINE OF LOT 3, SAID COPPER MOUNTAIN FILING NO. 4;

THENCE ALONG THE WESTERLY AND NORTHERLY BOUNDARY
LINES OF SAID LOT 3, FOR THE FOLLOWING FOUR COURSES:

- 1.) N00°01'44"W A DISTANCE OF 71.40 FEET TO A NON-TANGENT
CURVE TO THE LEFT;
- 2.) THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF
963.42 FEET, HAVING A RADIUS OF 2,010.00 FEET, A CENTRAL
ANGLE OF 27°27'44" AND A CHORD WHICH BEARS N88°32'39"E
A DISTANCE OF 954.22 FEET;
- 3.) THENCE N89°55;53"E A DISTANCE OF 364.40 FEET;
- 4.) THENCE N89°14'44"E A DISTANCE OF 328.84 FEET TO THE
WESTERLY BOUNDARY LINE OF LOT 10, SAID COPPER
MOUNTAIN FILING NO. 3;

THENCE ALONG THE WESTERLY AND NORTHERLY BOUNDARY
LINES OF SAID LOT 10 AND LOTS 9 AND A-R, SAID COPPER
MOUNTAIN FILING NO. 3 FOR THE FOLLOWING FOUR COURSES:

- 1.) N00°03'41"E A DISTANCE OF 324.25 FEET TO A NON-TANGENT
CURVE TO THE RIGHT;
- 2.) THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF
12.60 FEET, HAVING A RADIUS OF 2,765.00 FEET, A CENTRAL
ANGLE OF 00°15'40" AND A CHORD WHICH BEARS N64°17'39"E
A DISTANCE OF 12.60 FEET;
- 3.) THENCE N89°10'32"E A DISTANCE OF 316.55 FEET;
- 4.) THENCE N00°04'41"W A DISTANCE OF 125.05 FEET TO A NON-
TANGENT CURVE TO THE RIGHT ON THE SOUTHERLY RIGHT-
OF-WAY LINE OF INTERSTATE 70 AND US HIGHWAY 6 ALSO
BEING THE NORTHERLY BOUNDARY LINE OF SAID LOT 9;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY AND THE NORTHERLY BOUNDARY LINES OF SAID LOTS 9 AND A-R AND LOT B, SAID COPPER MOUNTAIN FILING NO. 3 FOR THE FOLLOWING TWO COURSES:

- 1.) ALONG THE ARC OF SAID CURVE A DISTANCE OF 867.66 FEET, HAVING A RADIUS OF 2,765.00 FEET, A CENTRAL ANGLE OF 17°58'46" AND A CHORD WHICH BEARS N80°15'11"E A DISTANCE OF 864.10 FEET;
- 2.) THENCE N89°14'34"E A DISTANCE OF 325.81 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 1, COPPER MOUNTAIN EAST NEIGHBORHOOD SUBDIVISION;

THENCE ALONG THE NORTHERLY BOUNDARY LINE OF SAID LOT 1, ALSO BEING THE SOUTHERLY RIGHT-OF-WAY OF SAID INTERSTATE 70 AND US HIGHWAY 6 FOR THE FOLLOWING FIVE COURSES:

- 1.) N89°14'34"E A DISTANCE OF 1,865.80 FEET;
- 2.) THENCE ALONG THE ARC OF A CURVE TO THE LEFT A DISTANCE OF 1,279.41 FEET, HAVING A RADIUS OF 1,532.50 FEET, A CENTRAL ANGLE OF 47°50'00" AND A CHORD WHICH BEARS N65°19'34"E A DISTANCE OF 1,242.57 FEET;
- 3.) THENCE N41°24'34"E A DISTANCE OF 307.00 FEET;
- 4.) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT A DISTANCE OF 93.16 FEET, HAVING A RADIUS OF 46.50 FEET, A CENTRAL ANGLE OF 114°47'36" AND A CHORD WHICH BEARS S81°11'40"E A DISTANCE OF 78.35 FEET;
- 5.) THENCE N66°12'51"E A DISTANCE OF 143.90 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 19,312,179 SQUARE FEET OR 443.347 ACRES MORE OR LESS.

**NORTHEAST PARCELS (SOUTHEAST OF I-70 AND EAST OF HIGHWAY 91),
PARCEL NO. 4:**

A PARCEL OF LAND BEING A PART OF TRACT 37, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 20, AND THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 6 SOUTH, RANGE 78 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF TRACT A, BLOCK 3, COPPER MOUNTAIN FILING NO. 1, RECORDED AT RECEPTION NO. 126446; THENCE ALONG THE NORTHERLY AND EASTERLY BOUNDARY LINES OF SAID TRACT A, AND THE NORTHERLY AND EASTERLY BOUNDARY LINES OF LOT 4, BLOCK 3 SAID COPPER MOUNTAIN FILING NO. 1, THE FOLLOWING TWO COURSES:

- 1.) N89°47'27"E A DISTANCE OF 550.24 FEET;
- 2.) THENCE ALONG THE EASTERLY LINES OF SAID LOT 4 AND TRACT A, S00°09'42"E A DISTANCE OF 1,647.48 FEET TO THE SOUTHERLY CORNER OF SAID TRACT A, ALSO BEING A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY 91;

THENCE ALONG THE SOUTHWESTERLY BOUNDARY LINE OF SAID TRACT A, AND THE NORTHEASTERLY RIGHT-OF-WAY OF SAID HIGHWAY 91, FOR THE FOLLOWING THREE COURSES:

- 1.) N18°51'59"W A DISTANCE OF 298.76 FEET;
- 2.) THENCE N00°35'57"W A DISTANCE OF 242.84 FEET;
- 3.) THENCE S54°37'01"W A DISTANCE OF 79.39 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF INTERSTATE 70 LEASE PARCEL RIGHT-OF-WAY, ALSO BEING THE SOUTHERLY CORNER OF LOT 1R, A SUBDIVISION EXEMPTION PLAT OF LOTS 1 AND 2R, BLOCK 3, COPPER MOUNTAIN FILING NO. 1, RECORDED AT RECEPTION NO. 768704;

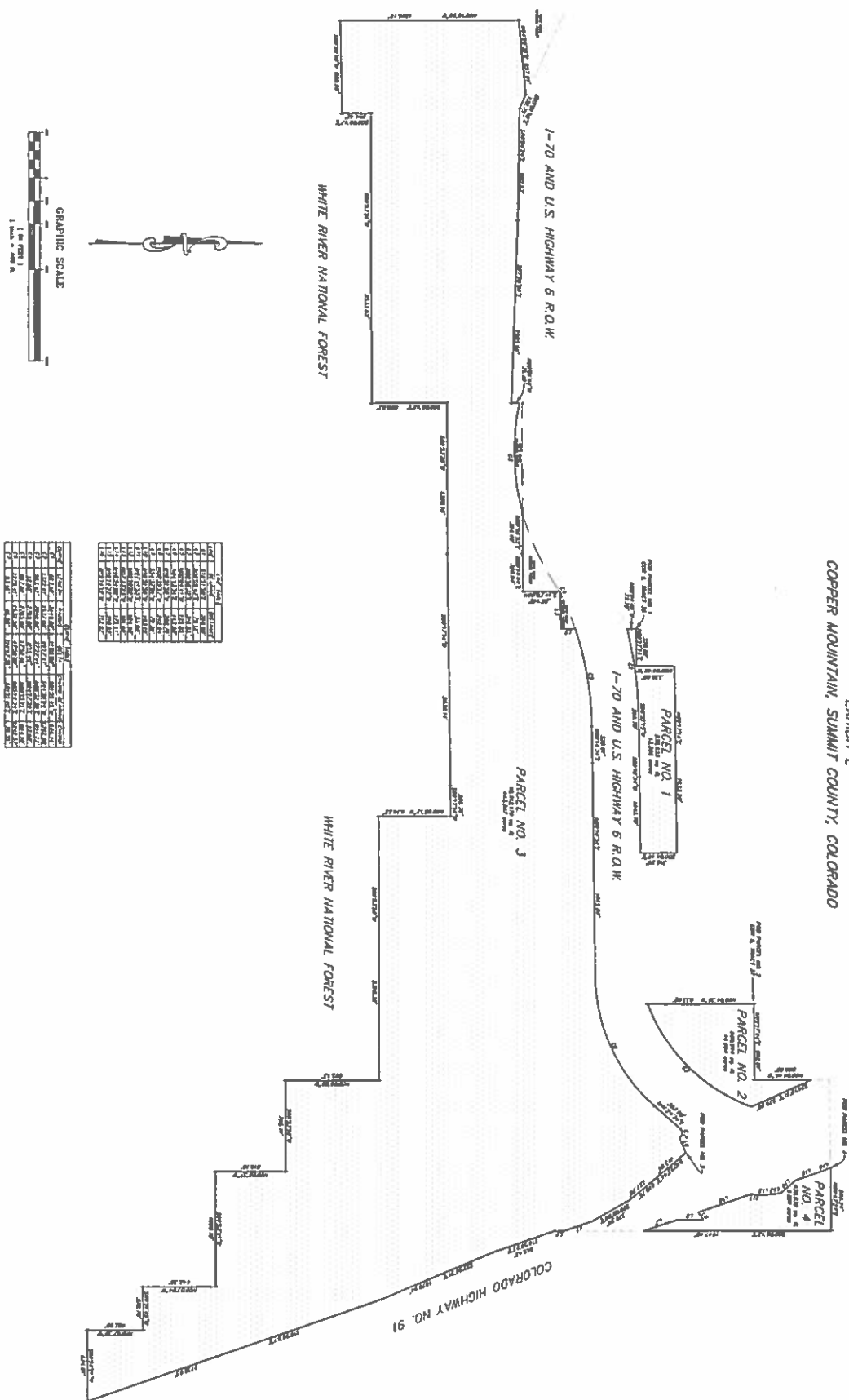
THENCE ALONG SAID NORTHEASTERLY RIGHT-OF-WAY OF SAID INTERSTATE 70 LEASE PARCEL RIGHT-OF-WAY, ALSO BEING THE SOUTHWESTERLY BOUNDARY LINE OF SAID LOT 1R, N18°51'59"W A DISTANCE OF 493.19 FEET TO THE SOUTHWESTERLY CORNER OF LOT 2RR, A SUBDIVISION EXEMPTION PLAT OF LOTS 1 AND 2R, BLOCK 3, RECORDED AT RECEPTION NO. 768704, ALSO BEING THE SOUTHERLY CORNER OF COLORADO DEPARTMENT OF TRANSPORTATION (HEREAFTER REFERRED TO AS "CDOT") PARCEL 3-X;

THENCE ALONG THE WESTERLY LINE OF SAID LOT 2RR, SAID SUBDIVISION EXEMPTION PLAT, AND THE WESTERLY BOUNDARY LINE OF LOT 3R, OF A SUBDIVISION EXEMPTION PLAT OF LOTS 2 AND 3, BLOCK 3, COPPER MOUNTAIN FILING NO. 1, RECORDED AT RECEPTION NO. 702897, ALSO BEING THE EASTERLY RIGHT-OF-WAY OF SAID CDOT PARCEL 3-X, THE FOLLOWING SIX COURSES:

- 1.) N07°41'55"E A DISTANCE OF 55.90 FEET;
- 2.) THENCE N02°10'02"W A DISTANCE OF 104.40 FEET;
- 3.) THENCE N07°33'23"W A DISTANCE OF 101.98 FEET;
- 4.) THENCE N40°54'09"W A DISTANCE OF 175.61 FEET;
- 5.) THENCE N19°14'27"W A DISTANCE OF 210.82 FEET;
- 6.) THENCE N19°14'12"W A DISTANCE OF 112.92 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 430,839 SQUARE FEET OR 9.891 ACRES MORE OR LESS.

2013 PLANNED UNIT DEVELOPMENT DESIGNATION EXHIBIT L COPPER MOUNTAIN, SUMMIT COUNTY, COLORADO



Parcel No.	Area (Ac.)	Area (Sq. Ft.)
1	10.00	404,800
2	10.00	404,800
3	10.00	404,800
4	10.00	404,800

Parcel No.	Area (Ac.)	Area (Sq. Ft.)
1	10.00	404,800
2	10.00	404,800
3	10.00	404,800
4	10.00	404,800

THIS MAP WAS PREPARED BY THE COLORADO DEPARTMENT OF LAND AND NATURAL RESOURCES, DIVISION OF LAND MANAGEMENT, AND THE COLORADO DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS, FOR THE PURPOSE OF ILLUSTRATING THE PLANNED UNIT DEVELOPMENT DESIGNATION FOR THE COPPER MOUNTAIN, SUMMIT COUNTY, COLORADO.

Project No.	2013-001	Project Name	2013-001
Client No.	2013-001	Client Name	2013-001
Project No.	2013-001	Project Name	2013-001
Client No.	2013-001	Client Name	2013-001

2013-001



Exhibit M. Density Transfer Log - 2013 PUD Amendment (Green highlight indicates change from 2008 & Cafeteria use added)

1/13/2013 - Revised by AH; 11/4/14

Neighborhood Parcel	Parcel Description	2008 PUD							2013 PUD							Cafeteria						
		Density	Transfer Allowance (%)	Date	Date	Date	EV Total	Density	Transfer Allowance (%)	Date	Date	Date	EV Total	Density	Transfer Allowance (%)	Date	Date	Date	EV Total			
WEST VALLEY																						
Parcel 1	Arroyo Ranch	3.0	0.0				3.0	0.0	0.0				3.0	0.0	0.0				3.0			
Parcel 2	Arroyo Ranch	43.5	0.0	7/14/2013			43.5	0.0	0.0				43.5	0.0	0.0				43.5			
Parcel 4	Arroyo Ranch	1.0	0.0				1.0	0.0	0.0				1.0	0.0	0.0				1.0			
Parcel 5	Arroyo Ranch	11.5	0.0				11.5	0.0	0.0				11.5	0.0	0.0				11.5			
Parcel 6	Arroyo Ranch (Lanes)	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Open Space		0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 6 & Parcel 7		120.0	0.0	4/14/10	0.0	0.0	120.0	0.0	0.0				120.0	0.0	0.0				120.0			
WEST VALLEY Subtotal																						
		120.0	0.0				120.0	0.0	0.0				120.0	0.0	0.0				120.0			
VALLEY CENTER																						
Parcel 7	Arroyo Creek Ranch (Lanes)	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 8	Arroyo Creek (Lanes) Boro Area	70.0	0.0				70.0	0.0	0.0				70.0	0.0	0.0				70.0			
Parcel 9	The Cadejo, UC Townhomes West, Union Creek Townhomes, The Cadejo	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 10	The Cadejo	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 11	Edmonds Lodge, Boro	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 12	Plano Townhomes	70.0	0.0				70.0	0.0	0.0				70.0	0.0	0.0				70.0			
Parcel 13	Senior Transportation Center	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 14	The Lodge at Copper	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 15	Valley Center	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 16	Summit Conference Center	120.0	0.0				120.0	0.0	0.0				120.0	0.0	0.0				120.0			
Parcel 17	Valley Center, Lake Mountain Lodge, The Mill	230.0	0.0				230.0	0.0	0.0				230.0	0.0	0.0				230.0			
Parcel 18	Club Taylor's Crossing	110.0	0.0				110.0	0.0	0.0				110.0	0.0	0.0				110.0			
Parcel 19	Valley Center	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0			
Parcel 20	Valley Center, West Lake Lodge, Boro	77.0	0.0				77.0	0.0	0.0				77.0	0.0	0.0				77.0			
Parcel 21	Valley Center, Boro,																					

Neighborhood/ Parcel	Parcel Description	Residential						Commercial						Industrial					
		2013 PUD Density	Transfer Allowance (2%)	Date	Date	Date	Est Total	2013 PUD Density	Transfer Allowance (2%)	Date	Date	Date	Est. SF Total	2013 PUD Density	Transfer Allowance (2%)	Date	Date	Date	Calc. SF Total
Parcel 21	Johnson Valley, Tugboat	42.1	1.1				43.2	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 24	247 LINDSEY, CRESTVIEW South, Pleasant/Green	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 22	Greenwood North	72.0	1.1				73.1	0.0	0.0				0.0	0.0	0.0				0.0
Open Space	Parcels D, E, F, G, H, I, J, K, L, and M	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Village Center Subtotal		112.1	2.2	0.0	0.0	0.0	114.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
EAST VILLAGE																			
Parcel 20	Paragona, Anasconda, Wheaton House, Elh Run, Pine Pine, Snowflake, Knappe Station, Village Point, The Dreams	214.0	12.7				226.7	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 23	Spring Springs	127.0	0.4				127.4	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 26	The Meadows	15.0	0.0				15.0	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 27	The Legends, The Woods	10.0	0.0				10.0	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 28	West Lake Housing	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 29	Upper Farming Unit	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 31	Midwayman's Yard	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Open Space	Parcels N, O, P, Q, R, S, T, U, and V	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
East Village Subtotal		366.0	13.1	0.0	0.0	0.0	379.1	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
A-LIFE Middleburg																			
Parcel 31	10777 COUNTRYWAY NW	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 32	A-LIFE Residential	30.0	1.5				31.5	0.0	0.0				0.0	0.0	0.0				0.0
Parcel 34	Habitas	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Open Space	Parcel 35	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
A-LIFE Subtotal		30.0	1.5	0.0	0.0	0.0	31.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Middle of Road																			
Open Space	Parcel 36	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Middle Road Subtotal		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
North View only westside																			
Parcel 37	Development Parcel	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
Open Space	Parcel 38 and 39	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
North Two Mile Subtotal		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
North Highway																			
Open Space	Parcels 40 & 41	0.0	0.0				0.0	0.0	0.0				0.0	0.0	0.0				0.0
North Highway Subtotal		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL PUD		1,112.1	22.2	0.0	0.0	0.0	1,134.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
		1,112.1	22.2				1,134.3	0.0	0.0				0.0	0.0	0.0				0.0

2009 commercial density maximums permitted from West Session proceedings

Exhibit N. On-Mountain Mining Claim Density Bank Log - 2013 PUD Amendment

Mining Claim	Parcel Description	Acres	Initial TDR Value (3)	Date	Date	Date	Residual TDR Value
Claim 1 ⁽¹⁾	Good Semeritian	5.16	0.26				0.258
Claim 2 ⁽²⁾	Olie Lind Timber	40.00	2.00	PUD Effective Date			0.000
Claim 3 ⁽²⁾	Lillie G. and Lillie G. No. 2	36.07	1.80	PUD Effective Date			0.000
Claim 4 ⁽²⁾	Lillie G. and Lillie G. No. 2	5.02	0.25				0.251
Claim 5 ⁽²⁾	Hattie H.	5.17	0.26				0.259
Claim 6 ⁽²⁾	Mona, Excellanza, Lule No. 2, F.D.W., Silver Cloud, Reconstruction, Little Silver, Bessie, Little Willie, C and S, Mollie G	66.43	3.32				3.322
Claim 7 ⁽²⁾	Storm King	5.16	0.26				0.258
Claim 8 ⁽²⁾	Spread Eagle, Westfhalla, Yellow Mask	15.50	0.78				0.775
Claim 9 ⁽²⁾	Bee Hive, Sirius	10.32	0.52				0.516
Claim 10 ⁽¹⁾	New York	5.16	0.26				0.258
Ski Mountain Properties Subtotal TDRs		193.99	9.70	0	0	0	5.896

Footnotes:

(1) On-mountain mining claim density is expressed in terms of Transferrable Development Rights (TDRs). On-Mountain mining claims shall not be allowed to transfer within the Copper Mountain Resort PUD boundaries using the 5% transfer allowance.

(2) The TD® value of mining claims 2 and 87.778% of 4 were extinguished as of the PUD Effective Date.

(3) 1 TDR per 20 Acres



Exhibit O
"BUY DOWN CRITERIA"

The following criteria shall be met for units to qualify as Affordable Housing units as required for Buy Down Units in Section 2.7B(i)(e) and (f) of the Copper Mountain Resort PUD Designation.

- a. **Location:** Units will be close to employment centers, transportation routes and/or consumer services.
- b. **Unit Size:** Unit size will meet the minimum floor area requirements for affordable workforce housing units set forth in Section 3809.02.D of the Summit County Land Use and Development Code.
- c. **Property Condition:**
 - i. All units will meet the basic Housing Quality Standards (HQS) outlined in Chapter 10 of the HUD Housing Choice Voucher Program Guidebook as determined by an inspector approved by the County.
 - ii. A home inspection report by an experienced professional home inspector will be obtained including the life expectancy of all appliances, heating, plumbing and electrical systems. Minimum life expectancy of appliances, heating, plumbing and electrical systems will be not less than 10 years, or applicable systems will be repaired/replaced prior any sale to the consumer, or the sale price will be discounted for the replacement.
 - iii. All appliances will meet minimum energy efficiency levels of Energy Star, or as set forth by the applicable building code, or the sale price will be discounted for replacement.
- d. **Livability of Units:** Consideration will be made for long-term livability and affordability for occupants, including:
 - i. Adequate windows and natural light as required by the Building Code.
 - ii. Adequate storage space will be provided as required by Section 3809.02 of the Development Code. A minimum of 180 cubic feet of storage space will be considered adequate and space beyond that amount will be taken into consideration in determining a favorable housing unit.
 - iii. There will be outdoor use areas for individual units or common to the HOA Community.
 - iv. Utility costs shall meet the requirements for Affordable Housing purchase price as defined in Resolution No. 2012-50 Affordable Workforce Housing Deed Restriction Guidelines.
 - v. There will be a minimum 1 vehicle parking space for 1 and 2 bedroom units and 2 spaces for 3 and 4 bedroom units. Parking spaces will meet County Code and tandem parking will be allowed.
 - vi. Unit size will meet the requirements of section 3809.02 of the County Code.
 - vii. No history of methamphetamine processing or a neighborhood crime rate in the top 5 percentile of the County.
 - viii. Evidence of tobacco and drug use within the unit will be eliminated prior to sale for Affordable Housing.
- e. **HOA Community (if units are within an HOA):**
 - i. HOA dues shall meet the requirements for Affordable Housing purchase price as defined in Resolution No. 2012-50 Affordable Workforce Housing Deed Restriction Guidelines.
 - ii. Due diligence should include an in-depth review of all HOA Declarations, By-Laws and Rules & Regulations, as well as review of the community management association.
 - iii. The HOA budget should be reviewed. Sufficient reserves should be in place to cover items in the replacement plan for the next 5-10 years. The replacement plan should be reasonable to avoid unnecessary emergency expenditures.



Exhibit O

"BUY DOWN CRITERIA"

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 - iii. The HOA budget should be reviewed. Sufficient reserves should be in place to cover items in the replacement plan for the next 5-10 years. The replacement plan should be reasonable to avoid unnecessary emergency expenditures.



Exhibit P Development Trigger Plans

To implement Copper's vision, Development Trigger Plans (DTP) have been completed to conceptualize the potential phasing of buildings, infrastructure and other land uses. These may change or may not be built and all are subject to review and approval by the County. This outline explains the proposed improvements that are intended to reflect physical construction and it does not include other commitments the Owner is committed to (i.e. cash donations, etc.).

It is important to note that development of real estate is based on market demand. This varies from time to time and is difficult to forecast. Future projects can occur in any order and could vary from what is shown on the DTP.

- ❖ **PUD Approval DTP** - The PUD Approval Development Trigger Plan illustrates the vertical development, Day Use Parking, Open Space dedications, trail construction and dedication and wetland mitigation that the Owner will be committed to within a specified timeframe from the PUD Effective Date as follows:

Items that have been completed following the 2008 PUD Effective Date include:

- Dedicate a public access easement on OS-Z (North Ten Mile Neighborhood) within 90 days of the PUD Effective Date. (Complete, Reception #1047912)
- Provide an Affordable Housing Payment in Lieu agreement within 12 months of the Effective Date. (CMR provided proposal to County 9/11/14. After study, this option was determined not feasible).
- Execute Road Maintenance Service Agreement prior to recordation of the PUD Designation. (Complete)
- Provide a sign plan for (T2) the Interim Copper Recpath within 12 months of the Effective Date. (Complete)
- Update pertinent sections of the Technical Appendix as agreed to with County Staff within 6 months of the Effective Date. (Complete)
- T2 Interim Copper Recpath within Copper Road and Beeler Place ROWs by July 1, 2014. (Complete)
- Improvements for the Copper Community Trail to the existing mass transit lane ("Shark Lane") for interim plan T10b, T11 and T12. Refer to Technical Appendix 27. (Complete)
- Cost sharing with the County, up to a maximum of \$250,000, for construction of T5. (Complete)
- Provide and maintain winter only access trail T17. (Complete)
- Execute and record a Real Estate Transfer Assessment agreement within 18 months of the Effective Date. (Complete)
- Mill Recpath on Copper Road by October 2019.

- ❖ **Affordable and Employee Housing**
 - Deliver Phase 1 (either 30 Affordable Housing bed credits or 50 Employee Housing bed credits) by November 30, 2021 or prior to certificate of occupancy for hotel or multi-family development at Parcel 32, A-Lift.
 - Fulfillment of all credits shall be completed by December 31, 2023.
- ❖ **Union Creek Base Area DTP** –The Union Creek Base Area Development Trigger Plan illustrates the proposed development that may occur on the Union Creek Base Area site (Parcel 6). There are no other village infrastructure triggers associated with this development. This development may trigger the removal of the Kokomo lift. Kokomo lift may be replaced by a proposed new lift serving a new skiing learning center on the mountain.
- ❖ **Copper Commons DTP** - The Copper Commons Development Trigger Plan illustrates the proposed development that may occur on the Copper Commons site and the associated Beeler Lot Short Term Parking improvements that will be implemented prior to the issuance of a grading and excavation permit. The road realignment, Copper Community Trail and 22 short term parking spaces at Copper Commons must be completed prior to the issuance of the first certificate of occupancy. Due to the complexity of this development and its associated infrastructure requirements, a detailed construction sequencing plan must be approved by the County prior to issuance of a Grading and Excavation Permit.

The Copper Commons development triggers several other projects that include:

- Copper Circle shall be reconfigured with the proposed development of Parcel 12. The existing road shall be reconfigured for two travel lanes of vehicle traffic, bus drop off lanes, the Copper Community Trail and walkways for pedestrians including a safe and easy crossing of Copper Circle. The County ROW in this area has been vacated, and Short-Term Parking within the remaining Copper Circle ROW will be built. For more details on these improvements refer to Technical Appendix 10 for conceptual illustration, Technical Appendix 22 for the proposed cross section and Technical Appendix 19 for an engineered drawing of the proposed right-of-way.
 - Construction of 147 spaces in Center Lot East which will be used for The EDGE Employee parking, unless this has already been provided by development of Parcel 30, North Alpine Housing.
 - Construction of Beeler Lot interim plan with 87 Short Term Parking spaces and 39 Day Use Parking spaces.
- ❖ **Chapel Lot DTP** – The Chapel Lot Development Trigger Plan illustrates the proposed development that may occur on the Chapel Lot and the associated parking replacement that must be completed prior to the issuance of a grading and excavation permit. Creek restoration work and tennis court construction must be completed prior to the issuance of the first certificate of occupancy.

The Chapel Lot development triggers other projects that include:

- Replacing the existing 381 Chapel Lot parking spaces in this Day Use Parking lot by constructing Center Lot West (183 spaces)
- Construction of Center Lot East (147 spaces) if the development occurs prior to the construction of the North Alpine Housing.

- West Ten Mile Creek restoration of Reach 1 will be completed with the development of the Chapel Lot. Details of the creek restoration can be found in the Wetlands Report in Technical Appendix 44.
 - T10a (interim trail) and T19 construction. The interim T10a trail shall be completed prior to allowing public use of Center Lot West. Refer to Technical Appendix 27.
 - Construct 1 tennis court on OS-K (Chapel Park) or other approved site.
- ❖ **Sky Chutes DTP** – The Sky Chutes Development Trigger Plan illustrates the proposed development that may occur in the Sky Chutes area and the associated trails and potential wetland mitigation work that must be completed prior to the issuance of the first certificate of occupancy.
- Construction of T15 and T16 trails in the wetlands setback subject to review and approval by Summit County at the time of development review with the development of Sky Chutes.
 - Wetlands setback mitigation work will also need to be completed and will be done in locations that provide for 1:1 replacement.
- ❖ **Creekside North DTP** – The Creekside North Development Trigger Plan illustrates the proposed development that may occur on the Creekside North site and the associated Copper Road re-alignment, Beeler Transit Center development, Ten Mile Circle improvements, golf modifications, parking modifications, Copper Community Trail, open space, wetlands and creek restoration work that must be completed prior to the issuance of the first certificate of occupancy. Due to the complexity of this development and its associated infrastructure requirements, a detailed construction sequencing plan must be approved by the County prior to issuance of a grading and excavation permit.

Before construction can be completed on Creekside North, several other infrastructure projects must be completed. These include:

- Copper Road ROW will require modification with the elimination of the existing mass transit lane, the elimination of the center median in certain locations, construction of the Beeler Transportation Center and realignment of Copper Road. The improvements will likely happen in two phases and will include (not necessarily in this sequence):
 - Phase 1 - Between the proposed Beeler Transportation Center and Ten Mile Circle: Existing surface improvements located within the ROW widths will be widened to accommodate four lanes of vehicle traffic consisting of two travel lanes in each direction with a fourteen (14) foot right travel lane in each direction to accommodate the oversized Cobuses.
 - Phase 2 - Ten Mile Circle ROW to Highway 91 – Existing ROW widths may be narrowed from 114' to 80' as the Copper Community Trail (T10, T11 and T12) may be relocated adjacent to West Ten Mile Creek and in place of the existing mass transit lane (Shark Lane).
 - The intersection of Copper Road/Ten Mile Circle shall serve as the point of demarcation for phase 1 and phase 2 Copper Road improvements. If Copper Road phase 1 and 2 are constructed independently of each other, the first phase will include improvements to the Copper Road/Ten Mile Circle intersection at least 199 feet in all directions.
 - The Beeler Transportation Center will require the right-of-way and any related improvements to shift north. Beeler Transportation Center includes the construction of bus loading and unloading zones, restrooms and 55 Short Term Parking spaces.

- Refer to Section 4.1 for the parking, protocol on Copper Road. The proposed road cross section for Copper Road is illustrated on Technical Appendix 22.
- Relocating the Short Term Drop-off parking from Copper Circle or Beeler Parking Lot to Ten Mile Circle with the removal of the mass transit road (“Shark Lane”). The Ten Mile Circle ROW will require modification with the elimination of the Shark Lane and the installation of the Copper Community Trail. The final alignment of T10, the Copper Community Trail will be located north of Ten Mile Circle between the realigned road and West Ten Mile Creek. The improvements will also provide for two lanes of vehicle traffic, charter bus unloading, a skier drop off area at the round-about and sidewalks. The primary Resort transit shuttle drop-off location will be relocated off Ten Mile Circle to the Beeler Transportation Center along Copper Road.

Existing Ten Mile Circle ROW widths will not be reduced but might be realigned with these proposed improvements. Proposed centerline of the realigned roadway might not align with the centerline of the existing ROW. 32 Short Term Parking spaces within the Ten Mile Circle ROW will also be constructed.

Once the Ten Mile Circle construction has been completed, the development work on the Beeler Transit site can begin unless other accommodation has occurred for maintaining short term parking.

For more detailed material on the above stated improvements, refer to Appendix 10 for a conceptual illustration and Technical Appendix 19 for an engineered drawing of the proposed right-of-way.

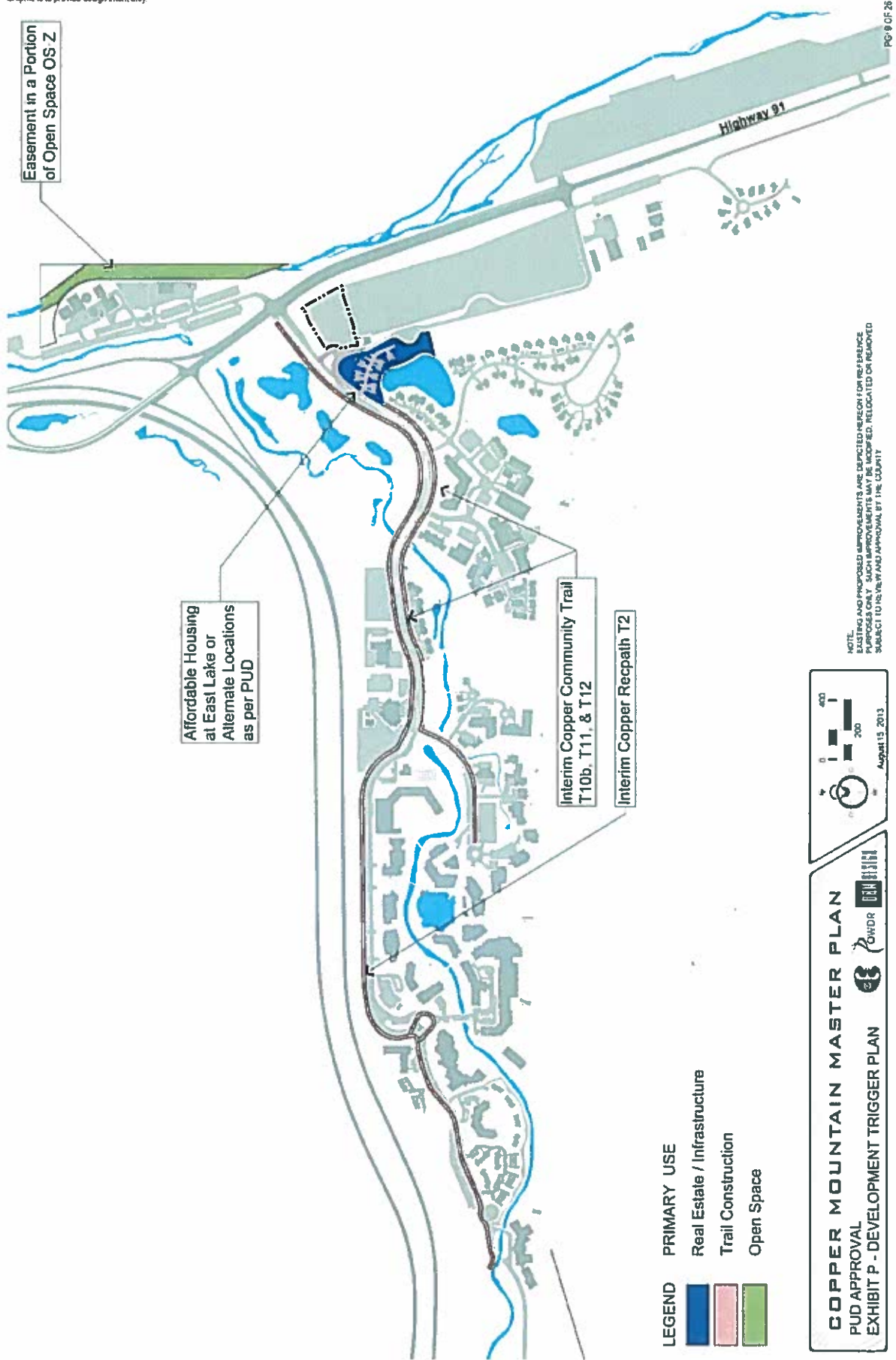
- Golf hole #3 will be relocated to just south of Sky Chutes and become the new Hole #2.
 - During the construction of Creekside North, three sections of the Copper Community Trail (T10, T11 and T12) will be constructed. This will complete the Copper Community Trail completely through the resort. Should this development project occur prior to the work on Ten Mile Circle then proper signage for pedestrians and cyclists will be installed to direct them accordingly.
 - 3.66 acres of open space OS-L (Togwotee Park) and OS-O (Stream Easement) south of the Creekside North, will be dedicated by easement to the County, and also allow for limited public access to West Ten Mile Creek in this section of the Resort.
 - Open space easement dedication of OS-Q (Copper Community Trail).
 - West Ten Mile Creek restoration of Reaches 2 & 3 will be completed with the development of Creekside North (including wetland setback work due to the construction of the Copper Community Trail). Details of the creek restoration can be found in the Wetlands Report in Technical Appendix 44.
- ❖ **A-Lift DTP** – The A-Lift Development Trigger Plan illustrates the proposed development that may occur in the A-Lift site and the associated Day Use Parking work that must be completed prior to the issuance of a grading and excavation permit.
- Construct 45 additional parking spaces for a total of 106 Day Use Parking spaces in the Maintenance Lot.
 - Prior to certificate of occupancy for hotel and/or multi-family development, deliver either 30 Affordable Housing bed credits; or 50 Employee Housing bed credits.
- ❖ **North Alpine Housing** – The North Alpine Housing Development Trigger Plan illustrates the proposed development that may occur in the North Alpine site.

- Construction of 147 parking spaces in Center Lot East which will be used for The EDGE Employee parking to replace the parking removed by the proposed Employee and/or Affordable Housing, if the development occurs before the construction of Chapel Lot, Parcel 18, and Copper Circle, Parcel 12.

COPPER MOUNTAIN PUD UPDATE (06.26.2018) | Exhibit P-01

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Graphic is to provide design intent only.

NORRIS DESIGN
PLAYING IN LANDSCAPE ARCHITECTURE & PLANNING



NOTE:
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SUBJECT TO INSURANCE AND APPROVAL BY THE COUNTY.

August 15, 2013

LEGEND

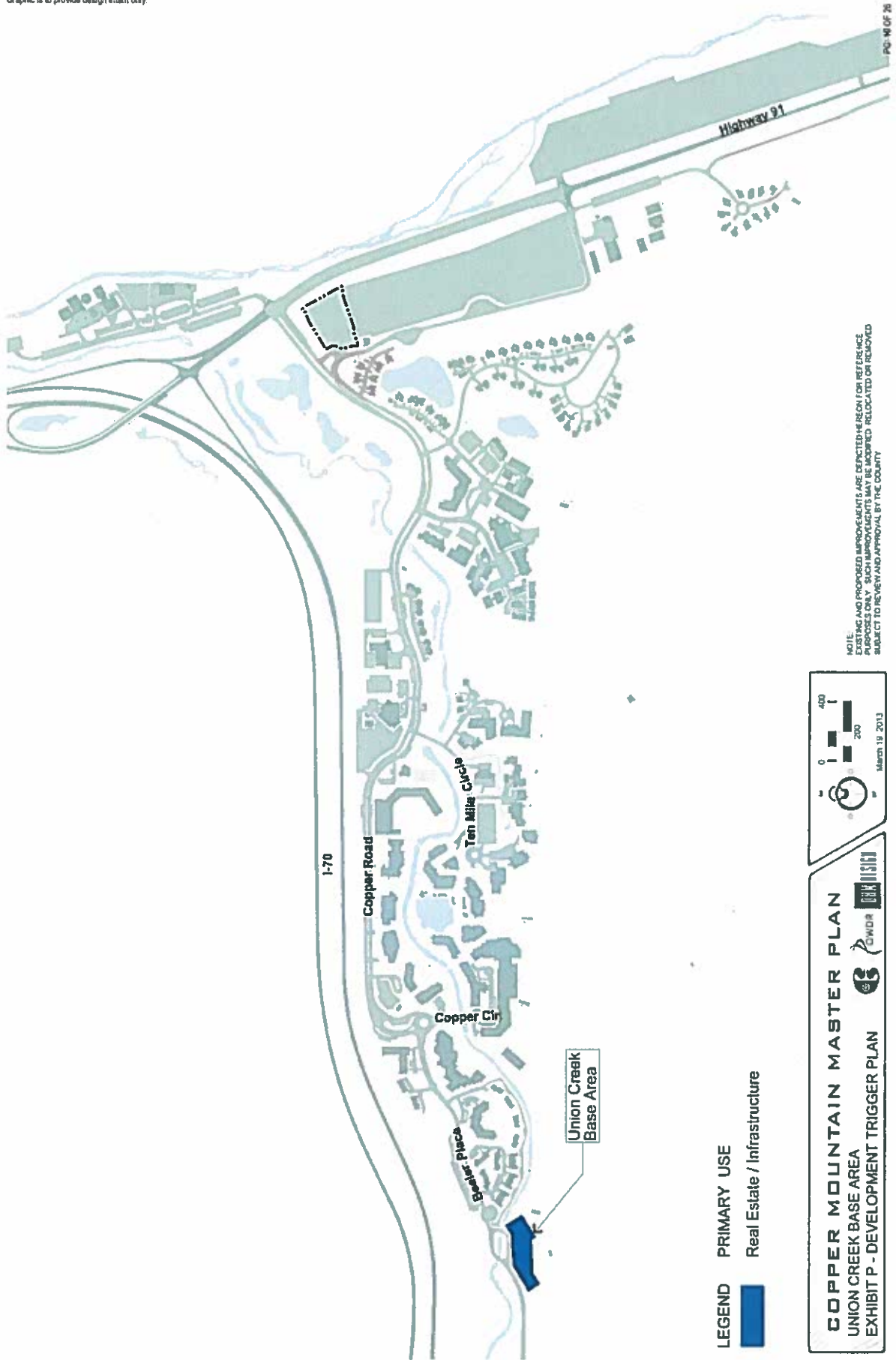
PRIMARY USE
Real Estate / Infrastructure
Trail Construction
Open Space

COPPER MOUNTAIN MASTER PLAN
PUD APPROVAL
EXHIBIT P - DEVELOPMENT TRIGGER PLAN



(06.26.2018) | Exhibit P-02

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LEGEND  **PRIMARY USE**
Real Estate / Infrastructure

COPPER MOUNTAIN MASTER PLAN
UNION CREEK BASE AREA
EXHIBIT P - DEVELOPMENT TRIGGER PLAN

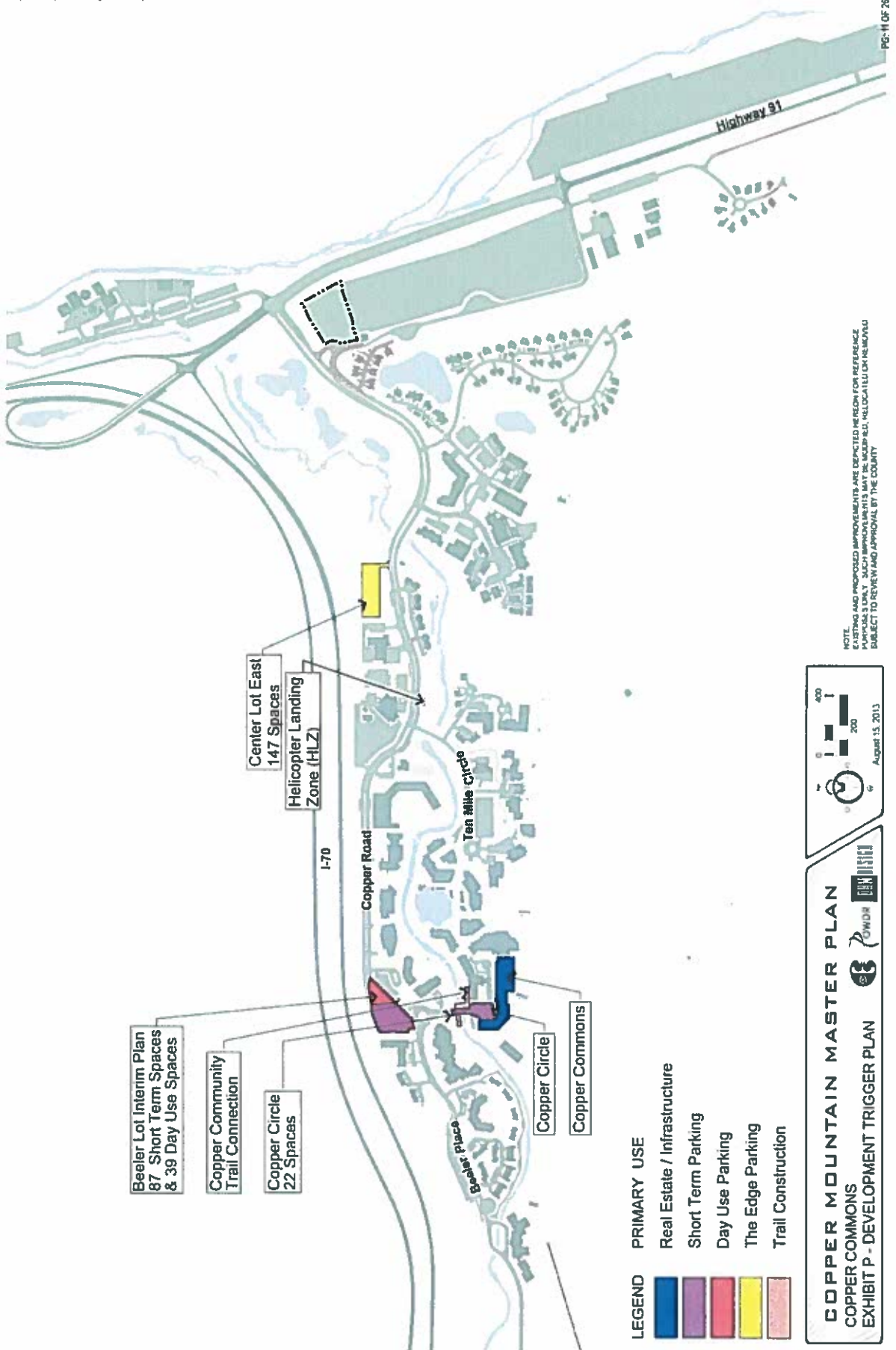


COPPER MOUNTAIN PUD UPDATE

(06.26.2018) | Exhibit P-03

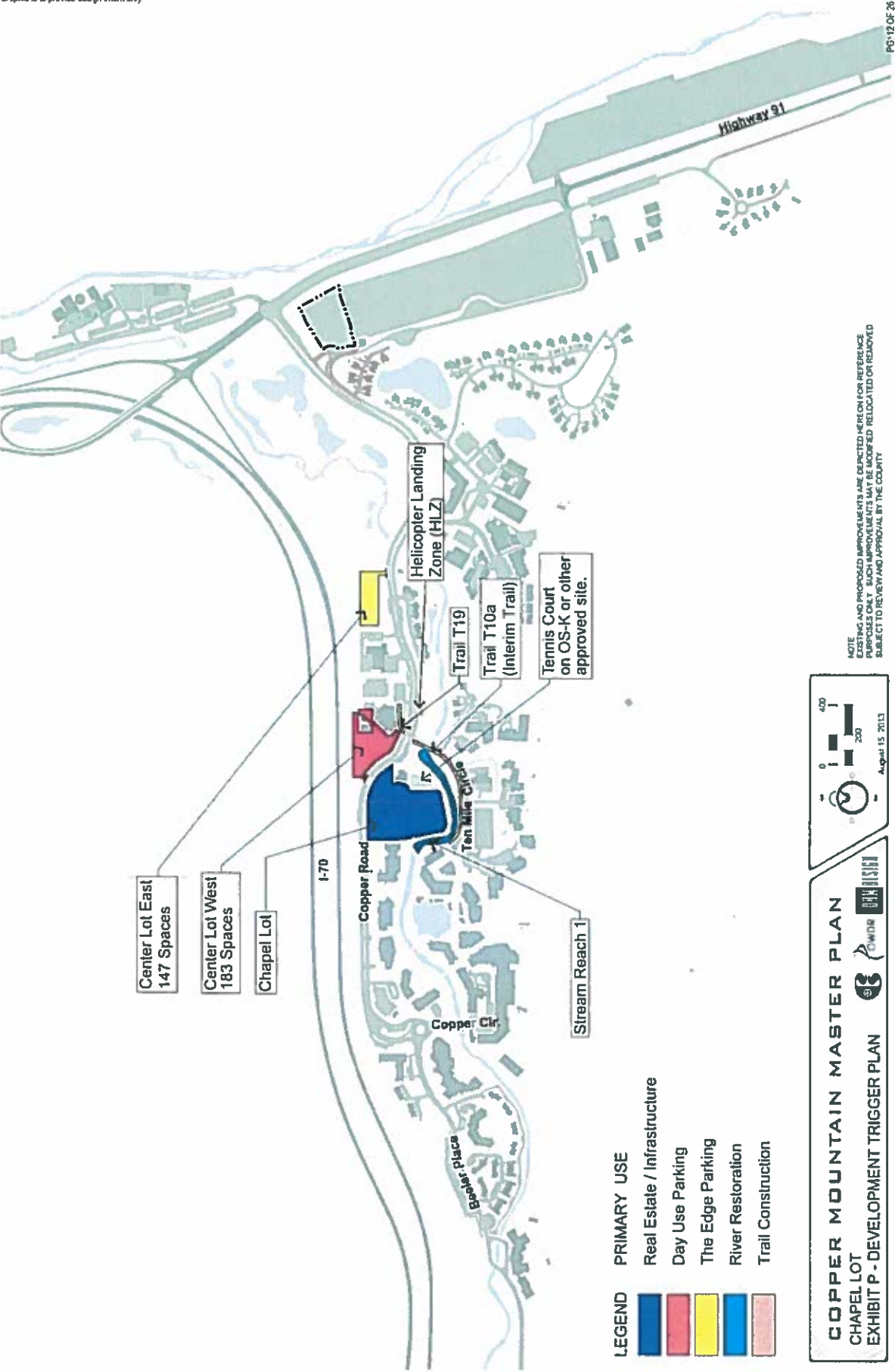
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COPPER MOUNTAIN PUD UPDATE
 (06.26.2018) | Exhibit P-04

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- LEGEND**
- | | |
|---|------------------------------|
| | PRIMARY USE |
| | Real Estate / Infrastructure |
| | Day Use Parking |
| | The Edge Parking |
| | River Restoration |
| | Trail Construction |

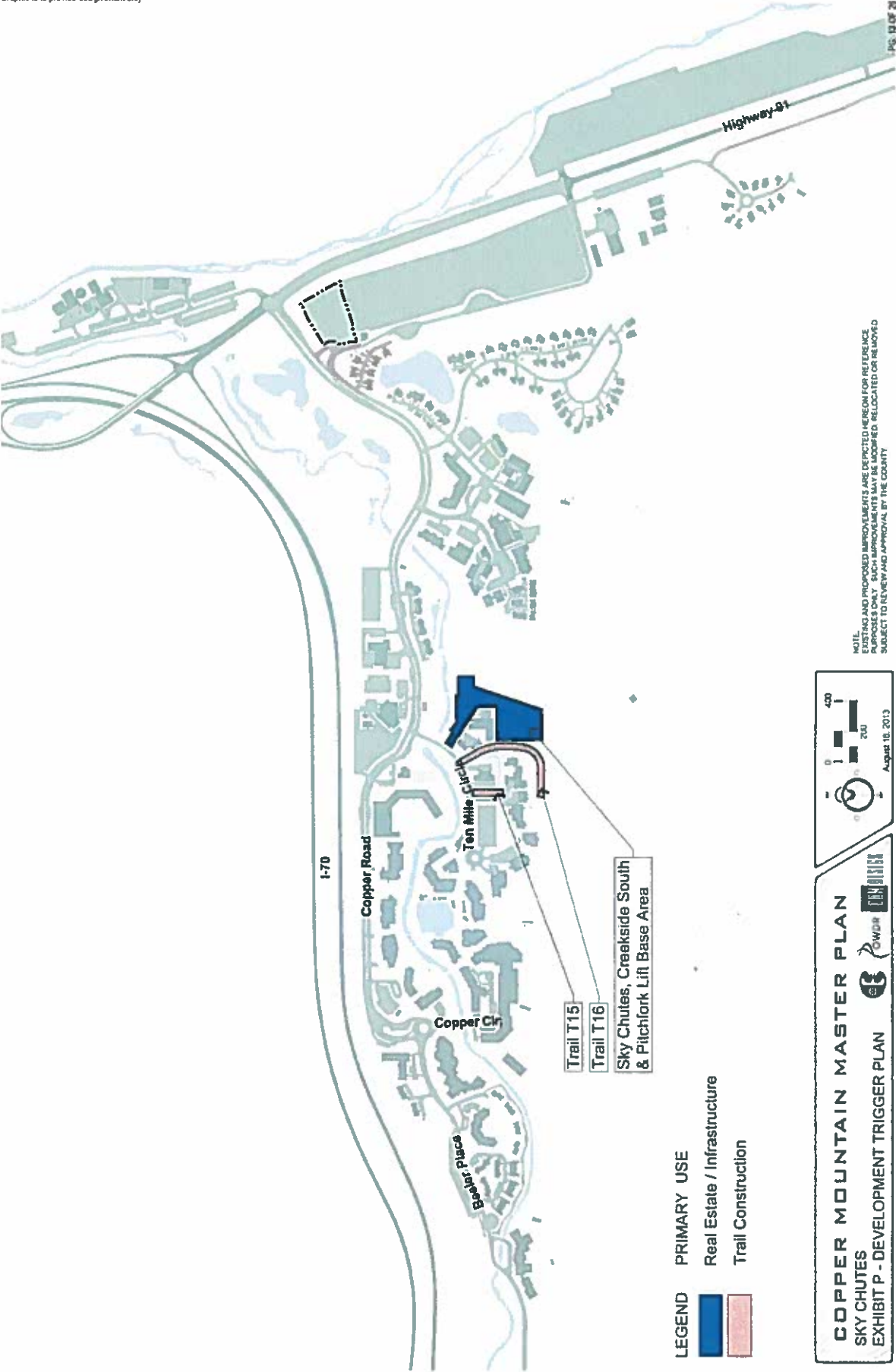
COPPER MOUNTAIN MASTER PLAN
CHAPEL LOT
EXHIBIT P - DEVELOPMENT TRIGGER PLAN

Scale: 0 200 400 Feet
 August 15, 2013

CDOT
 COUNTY OF COLORADO

COPPER MOUNTAIN PUD UPDATE
 (06.26.2018) | Exhibit P-05

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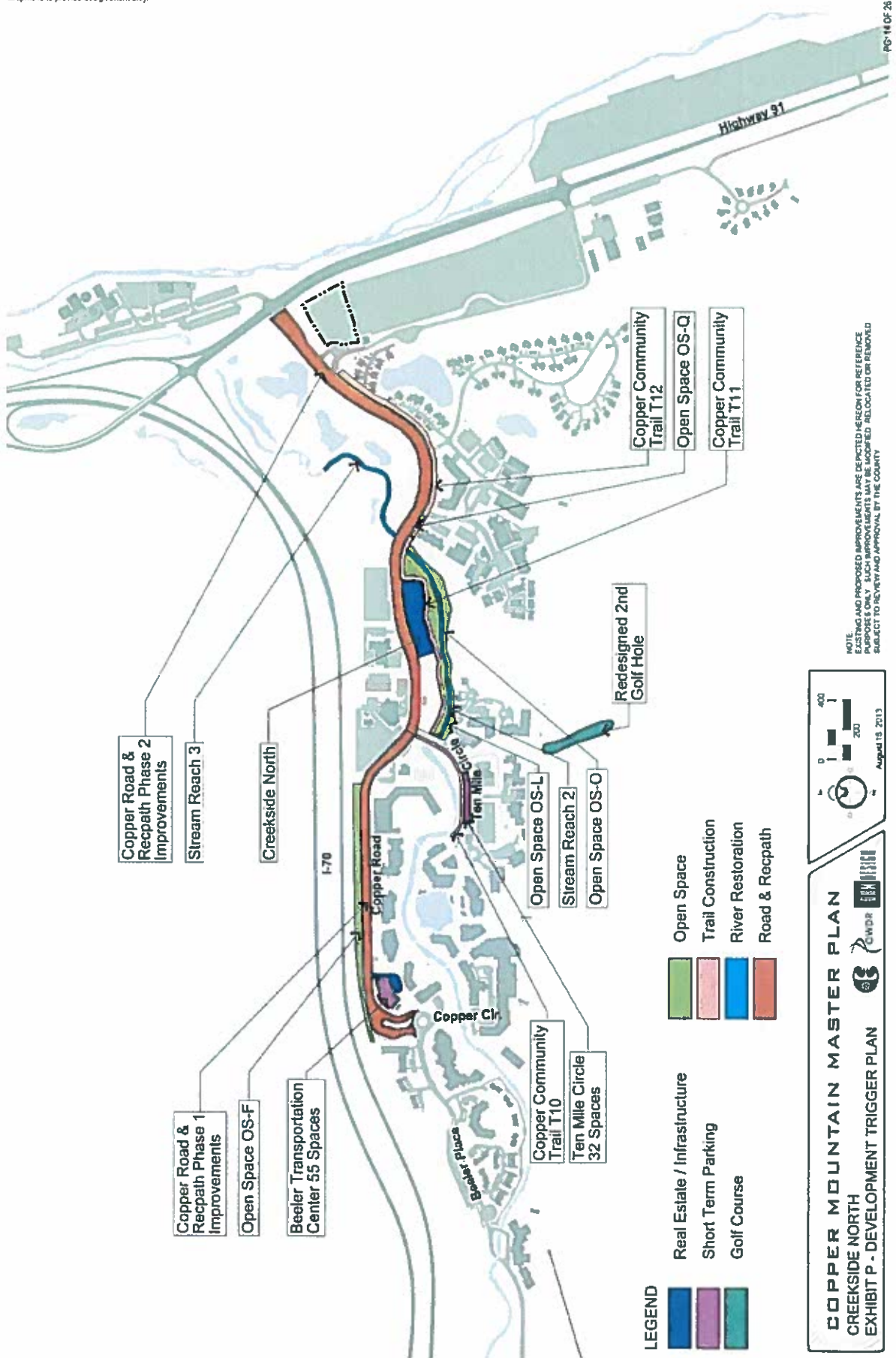


COPPER MOUNTAIN PUD UPDATE

(06.26.2018) | Exhibit P-06

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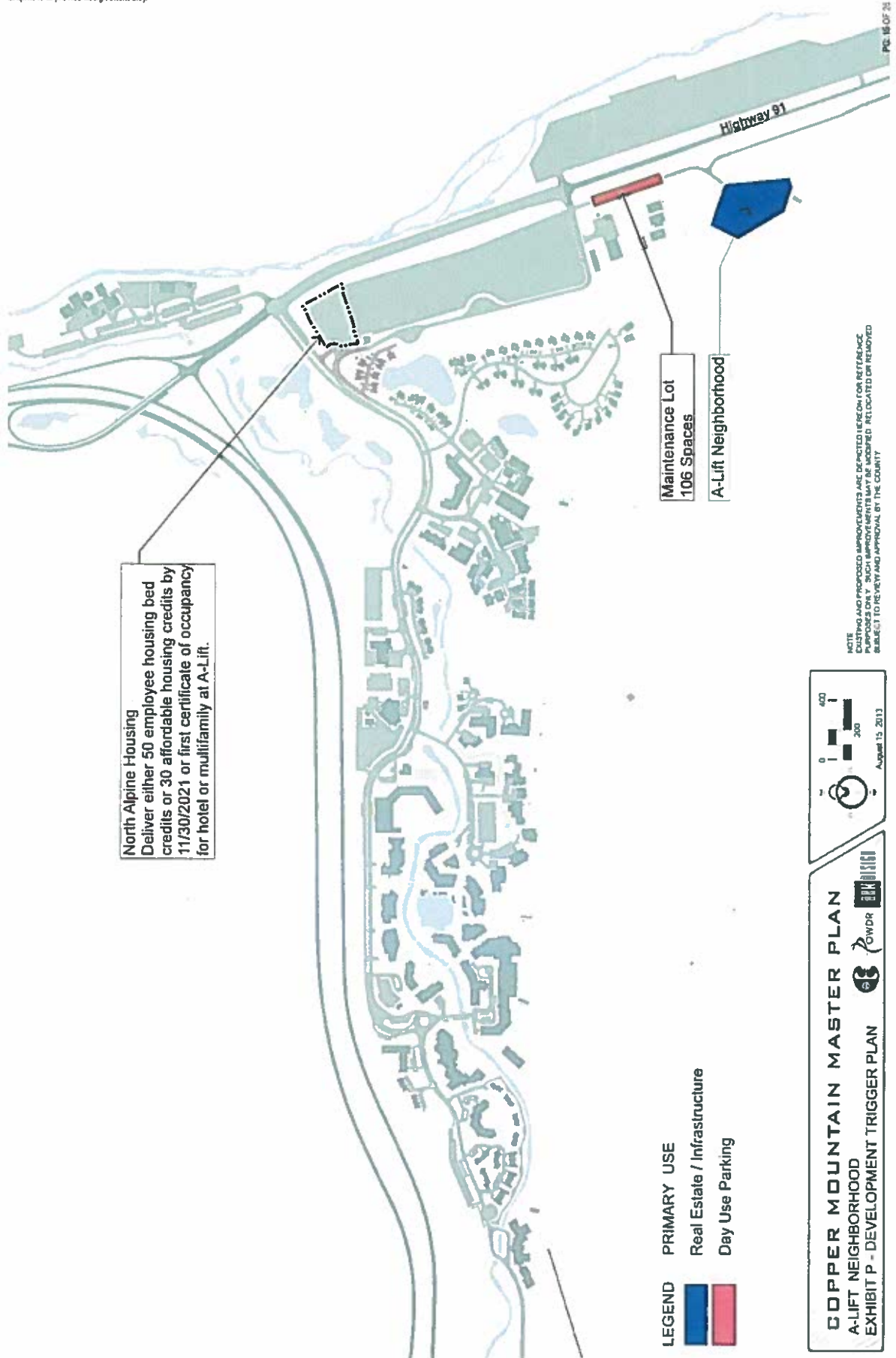


COPPER MOUNTAIN PUD UPDATE

(06.26.2018) | Exhibit P-07

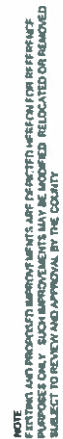
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NORRIS DESIGN
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(06.26.2018) | Exhibit P-08

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PG 15 OF 26